

## Autobiography of John E. Massey

### AUTOBIOGRAPHY OF JOHN E. MASSEY

John E. Massey.

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?1817–1901

EDITED BY ELIZABETH H. HANCOCK

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### THE EDITOR'S FOREWORD

Mr. Massey intended to make two books out of his material—one a history of the Readjuster movement in Virginia, the other his autobiography. This material consisted of letters, notes in his handwriting, and newspaper clippings. He died soon after he had finished the compilation of his data, leaving the material in unpublishable form, and not even in chronological sequence.

I hope that without prejudice I have assembled in this book ail of Mr. Massey's material of public interest. I say without prejudice, for I would have been a Debtpaying Democrat if I had been old enough, while all the members of my family gave their political strength to

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defeat the Readjuster movement. In building the book, as I think Mr. Massey would have done, giving a connected history of Readjusterism from the point of view of the "Father of Readjustment" as well as Mr. Massey's autobiography, as far as possible in the "Parson's" own vigorous language, I have endeavored to portray the unique personality of one of the most important of those persons that dominated the political life of Virginia during the last century.

Elizabeth H. Hancock.

"Ellerslie," Charlottesville, Virginia, *June 15, 1909*

### CONTENTS

#### CHAPTER PAGE

- I. Early Impressions 9
- II. From the Bar to the Pulpit 20
- III. Political Affiliations 27
- IV. Virginia After the War 40
- V. The State Debt And The Funding Bill 44
- VI. "Parson Massey's Coupon Bill" 53
- VII. "Debts and Taxes" 59
- VIII. "To the People of Virginia" 99
- IX. Governor Pierpont's Views 118

## Library of Congress

- X. Was the Funding Bill Irrepealable? 126
- XI. The Massey School Bill 131
- XII. The Broker's Bill 142
- XIII. The Readjuster Party 147
- XIV. The Campaign of 1879 152
- XV. Auditor of Public Accounts 177
- XVI. Readjuster Presidential Electors 185
- XVII. Readjuster Gubernatorial Convention 193
- XVIII. The Mahone Pledge 199
- XIX. The Big Four 210
- XX. Mahone's Caucus Measures 216
- XXI. "Massey on Mahone" 221
- 8
- XXII. Candidate for Congressman-at-Large 237
- XXIII. Who Settled the State Debt? 250
- XXIV. Gubernatorial Convention and Canvass of 1886 257
- XXV. Lieutenant-Governor 266
- XXVI. Gubernatorial Convention and Canvass of 1889 274

## Library of Congress

XXVII. Superintendent of Public Instruction 279

XXVIII. Retirement to Private Life 298

XXIX. Local Option: Prohibition 301

XXX. Constitutional Convention 310

### **Autobiography of John E. Massey**

#### **CHAPTER I EARLY IMPRESSIONS**

My ancestors came from England to Virginia at an early period. The home of my grandfather, Reuben Massey, was in Spottsylvania County. His burial was the first thing I distinctly remember. I was carried to his grave in my nurse's arms, and the scene so impressed me that eighty years have not obliterated it.

The maiden name of my paternal grandmother was Mary Carter. She was an Episcopalian of the strictest kind, and she believed that the only way to Heaven was through “ *The Church*. ” When my eldest brother became a Baptist minister, however, she modified her views sufficiently to hear him preach. Not one of her children, strange to say, remained in her church.

My mother, before her marriage, was Elizabeth Chewning, daughter of William and Frances Chewning, née Fulcher. Soon after she became the wife of my father, Benjamin Massey, they were both baptised, and they united with the Mine Road Baptist Church, of which my father was for many years the clerk.

My parents were in the condition financially for which Agar prayed, having “neither poverty nor riches.” Both of them lived to be old. My mother died first, and the following extract from her obituary gives some idea of the loveliness of her character:

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"Her piety was calm, thoughtful, and mature. 10 When the time of her departure came she was in the attitude of readiness; and though her death was sudden, it was peaceful. . . . In her neighborhood, as a skillful nurse, and a sympathizing friend and counsellor, she was eminently useful. But it was in her family circle that her excellence was most felt. As a wife and mother, her sound judgment, her great prudence, and her amiable disposition gave her almost unbounded influence. Her family not only loved her but revered her. To the day of her death, her counsels and cautions had controlling influence with her children: with them her wishes had never ceased to command the respect of a binding authority, her approving smile had never ceased to be a pure delight."

The vigor and cheerfulness of my father were unusual. He lived to be eighty-eight years old, and he had been a member of the Baptist Church for nearly sixty years. The following extract is from the notice of his death, published in the *Religious Herald*:

"He was the devoted friend of that humble, good man, Elder P. P. Pendleton, so long his pastor. He was contemporary with Absalom Waller, Andrew Broaddus, J. Chaddler, J. A. Billingsley, Jacob Herndon, and their colaborers, and he often listened to their instructions with delight and profit. Though catholic in his feelings toward Christians of every name, he was strong in his attachment to the doctrines and usages of the Baptists. To the sick and afflicted he was ever ready to offer ministrations of love. His hospitalities were cordial, and were limited only by his means and opportunities. His faith was strong and his hope joyful."

11

I was born in Spottsylvania County, Virginia, on the 2d day of April, 1819, and I was the youngest of seven children.

The Christian example and instructions of my parents impressed me with religious sentiments at an early age. I cannot recall any time of my life when I did not wish to be a Christian. I remember while I was yet a small child sleeping with my parents, I was so concerned upon the subject that I was once weeping when my father came to bed. He

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wished to know what was the matter, but I could not explain. I asked him to pray for me. I had no proper conception of what constituted a Christian, or how to become one, but I thought Christians must be good and happy. Servants, with whom I frequently talked on the subject, filled me with horror by their descriptions of the "lost." They told me to be good and to keep on praying, and when the Lord was ready to convert me I would see Jesus in the sky, or hear him call to me from the clouds. I prayed, and looked, and listened. I often repeated, "Oh, when shall I see Jesus!"

My brother Benjamin, about six years my senior, was "seeking religion," and I thought that I, too, was making fair progress. I was sincerely concerned about his spiritual condition, and I felt more anxiety about him than I did about myself. I thought I was getting along well, and would soon be all right; that I had only "to keep on praying."

After Benjamin and I had retired one night, not knowing his frame of mind, I said something amusing to him. Instead of being interested, as I supposed he would be, he said that 12 he believed he could be a Christian if it were not for me. His remark irritated me for a moment, but soon made me unhappy. The thought of hindering a dearly loved brother from becoming a Christian was distressing to me.

Not long after this, while we were at dinner one Sunday, my sister Mary entered the dining-room, and announced that brother Benjamin had been received by the Good Hope Church as a candidate for baptism.

The announcement was like an electric shock to me. I went at once to a grove some distance off, and, falling upon my knees, prayed as I had never prayed before. I had been asking God to make me good. I now felt, for the first time, that I was a poor sinner deserving His displeasure; that I had insulted Him by my empty prayers, and that His wrath was about to be poured out upon me. I implored forgiveness. When I arose to return I felt unable to do so, and I believed that instead of getting better I was "lost." I fell upon my knees again, and begged for mercy with all the ardor of my nature. It was the

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wailing of despair. But suddenly my burden left me! I heard no sound, I saw no sight, I felt no rapture. Tranquillity took possession of me. I could not understand the change! I returned to the house wondering what it meant. The calm that I experienced soon gave me uneasiness, and I became distressed because I could not feel as solicitous as I had done before. I spoke of my perplexity to my father. His explanation and instruction comforted me, and I felt eager to confess Christ before the world and to unite with Christians.

It was not then the custom to receive persons 13 so young and small as I was into a Baptist church, and when the pastor was informed of my wish, he and the deacons held a conference to consider the advisability of even hearing what I had to say. They finally decided to do so, and my examination was rigid—very much on the order of the cross-examination of a witness. At its conclusion the pastor said: “Well, my little brother, if God has received you, we will have to do so, too.”

Before the arrival of the day appointed for baptism my brother Samuel returned home, having been converted while away. He, brother Benjamin, and I were baptised on the 15th of September, 1832, by Elder Jacob W. Herndon, and we became members of Good Hope Baptist Church, in Spottsylvania County.

I thought then that all church members should sit together in the “amen corner”; but as I passed on my way to it one of the prominent sisters said, “The gallery is the place for boys.” This troubled me. I went to the gallery a few times, but felt out of place there, and soon resumed my seat among the members, although I felt that my doing so was considered presumptuous. But my duty as a member of the church troubled my conscience in many ways. Our pastor once failed to attend one of his Sunday appointments when a large congregation had assembled. After waiting a reasonable length of time for him, everybody left without having heard a prayer or sung a hymn. I had not the courage to say anything, but I felt unhappy, and I resolved, God helping me, that such a thing should not occur again when I was present.

Soon after the silent meeting I attended a 14 four days' meeting in a grove at Mount Hermon Church, and after the preaching was over I felt an irresistible impulse to make an exhortation. Being small, even for one of my age, I stood upon a bench and talked to the young people. When I concluded my remarks I felt that I had acted obtrusively; but my pastor came to me, and putting his hand upon my head, spoke in a way to encourage me.

Not long afterward I attended a similar meeting at Antioch Church, in Orange County, and although I was not acquainted with the pastor or members of that church, I had a feeling of dread that I should be asked to say something. I went into the church early, and took a seat behind a door. After an earnest sermon by Elder Powell, and an apparently ineffective exhortation from the pastor, the former looked over to me and said, "My little brother, can't you talk to the people?"

The brethren around me led me forward and placed me on the pulpit steps. I felt embarrassed, and I commenced by saying, "Will you hear something from a little boy?" I have never been able to recall anything else I said. My discomposure left me, and I spoke as the spirit gave me utterance.

The effect amazed me. Men and women arose in every part of the house, crowded around the pulpit, and falling upon their knees, cried, "Pray for me! pray for me!" The whole congregation seemed moved as I never saw one moved before, and have never seen one so universally moved since. The effect was doubtless due more to my childish appearance than it was to anything I said.

15

I was sent to both Sunday and "old-field" schools at an early age, and I continued to attend them until I was fifteen years old. Sunday-school teachers in those days required the scholars that could read to commit to memory verses of Scripture, and stimulated them to do so by giving them tickets. I did not then understand much that I learned, but I had the



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texts stored away in my mind, and found them helpful in after years. My Sabbath-school instructions were the best training for the ministry that I ever had.

Many of the “old-field” schoolmasters were poorly qualified for their vocation. They were deficient in education, and unskilled in imparting what they knew. Their manner of teaching grammar, if it could be called teaching, was to require pupils to learn the examples under the twenty-two rules of Murray's Grammar and to repeat them in the precise language of the book.

The “rod” was an important adjunct to the teacher's work. It was usually installed in a conspicuous place as “Prime Minister,” but it exercised the functions of all departments of government—legislative, judicial, and executive—and was emphatically the “Minister of War.” “Aaron's rod that budded” was scarcely more awe-inspiring to those that beheld it than the pedagogue's was to his scholars.

The “old-field” schoolhouse was usually built of unhewn logs, with the spaces between filled with split saplings and mud. A writing-desk was constructed in one end of the house by fastening two planks in a slanting position on a frame about four feet high, and a log was left out of the wall a little above this desk in order to give light and ventilation. The benches were made of split logs sawed on the top, with legs driven into holes bored in the bottom. They were often so high that the feet of the smaller scholars could not reach the floor, which was, in many cases, the bare earth.

The books generally used were the New York Speller, Pike's Arithmetic, and Murray's Grammar. Many scholars had no reader but the New Testament. One boy that I attended school with had a copy of “Robinson Crusoe”; another had “Pilgrim's Progress”; and when they said their lessons I listened with admiring wonder, believing the narratives to be veritable histories.

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Unpromising as these schools and their environments were, they sent forth to bless mankind many successful doctors, brilliant lawyers, distinguished statesmen, and consecrated ministers of the Gospel.

The greatest meteoric display of the nineteenth century occurred on the night of the 7th of November, 1833, when I was fourteen years old. I refer to the "falling stars." The scene was grand and beautiful beyond description, and lasted from before midnight until after daybreak. The whole heavens seemed to be on fire, and the sparks to be descending instead of ascending. The downpour was as abundant as the falling of hail in a fierce storm; and the earth was lighted up as though it were on fire. The terror produced among the masses can be but faintly imagined. The negroes ran to their masters for protection. Men and women left their homes and ran, screaming and praying, to their neighbors' houses, which they generally found deserted. It was the means of arousing many persons, both white and black, to a sense of the importance of being prepared for death and the judgment-bar.

In 1836 I attended the Virginia Baptist Seminary, now Richmond College. I walked most of the distance, sixty miles, and carried my belongings in a pillow-case swung over my shoulder.

At the Christmas vacation I started home on a wagon that was to go to a point within ten miles of my father's house. A heavy rain, and a consequent rise in a river we had to cross, rendered the bridge over it unsafe for the wagon, which was delayed. I crossed over on foot and continued my journey alone. When the day was nearly gone, and I was wet and cold and hungry, I approached an unpretentious house near the roadside. A woman met me at the door, and, in reply to my request to be allowed to spend the night there, said that she had nothing for me to eat and no bed for me to sleep in. She had several children and she was very poor. I told her if she would give me a pallet before the fire I would ask for nothing else; and she agreed to this. There was wood in the corner, and I used it freely; but when I did so the third time the woman raised up in bed and told me I must burn no

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more of her wood; she wanted it for the morning. I promised to cut more if she would let me keep up the fire through the night; and to redeem my promise I arose at daylight. In order to do so, however, I found that I would have to take a dull axe, go some distance, cut down a sapling, drag it to the house, and cut it 18 up. The task was severe; and the temptation to abandon it great. I had had neither dinner nor supper the day before; I was weak, and the weather was cold. But I persevered; and after carrying the wood into the house I started on my lonely journey, feeling thankful to the poor woman for shelter and lodging—poor, indeed, but the best she could give.

A competent teacher taught school four miles from my father's in 1838, and during my walks to and from that school I believe I learned more than I ever did before or since during the same length of time. In 1839 I attended Dr. Gillespie's school in Louisa County for a short while, and the following year I taught a large school in that county. In 1841 I re-entered Richmond College.

When I became eighteen years old I joined a large volunteer military company. Soon after, the captain resigned, and I was elected his successor. Some officers of the regiment said to me, after my election, "You ought to *treat* your company." I did so, feeling that I was doing wrong in conforming to a custom I did not approve; and I never repeated it.

After I had been in office several years, a furniture dealer in Richmond, of whom I was making purchases, addressed me as "Colonel" so frequently that I said to him in a serious tone, "General, if you please—and no little brigadier at that, but full general!" He began to apologize; said he knew I was a military officer, but did not know my rank. I replied, "I am neither general nor colonel, and if you are going to give me a title that doesn't belong to me, give me one worth having."

The height to which a little title elevates some men in their own estimation reminds me of the story of the man just elected corporal. He was telling his wife of the honor conferred upon him; his children, hearing it with delight, asked, "Father, ain't we *all* corporals?"

"No," said the mother, "none but your *father* and *I* are corporals."

After leaving college I studied law under the instruction of Starke W. Morris, Esq., of Louisa Court House. While doing this I worked in my father's shop in the day and studied at night. My father was a farmer and a mechanic. I made spinning-wheels and chairs in his shop; these I took to Louisa and Spottsylvania Court Houses in a horse cart on court-days, and thus earned money to pay for my law books and my instruction.

From early boyhood I had desired and purposed to be a lawyer. When the opportunity came to prepare myself for it I was fascinated with its study, and applied myself as closely and earnestly as my circumstances permitted. I was licensed for its practice in 1843 by Judges Richard H. Fields, John B. Clopton, and Peter N. Nichols. Soon after receiving my license I went to Loudoun County to practice in the courts of that and adjoining counties.

20

### CHAPTER II FROM THE BAR TO THE PULPIT

When I went to Loudoun County to practice law I transferred my church membership to Ketocton Church, of which my brother, Joseph T. Massey, was pastor. I had continuously taken part in religious services—I had read the Scriptures, and exhorted, and prayed in meetings. Soon after my connection with Ketocton Church a protracted meeting was held. High water prevented the preachers that expected to attend from being present, and as my brother wished me to assist him, I did so for several days.

My brother, on another occasion, was prevented by sickness in his family from filling an appointment at Mount Zion, in Berkeley County; and he requested me to go in his stead. A large congregation was expecting all-day preaching. I was invited into the pulpit,

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but I preferred to remain in front of it. At the conclusion of the second service that day a collection was taken, and I was told it was their custom to pay preachers for their services. I replied that I thought they were right, but that I was not a preacher. "What have you been doing to-day but preaching?" said they.

Again, I attended a meeting at North Fork Church, in Loudoun County, and just as the Saturday services closed the pastor was called home by illness in his family. He said to me, "I will have to get you and Brother Richard to conduct 21 the services to-morrow." The next morning I spoke to the congregation in my usual way, and as I was about to resume my seat, Elder Richard Herndon took hold of my arm and said, "It is time to go into the pulpit." Before realizing what it implied, I started with him. When about half way up the steps I paused, not knowing whether to go on or to return. I went forward, however, and seated myself, feeling that I was occupying sacred ground without a right to do so.

My desire from early childhood was to be a lawyer, but God seemed to order otherwise, and I found myself in the pulpit without intending to be there. I had been often told that I should preach, and I then felt that I should seriously and prayerfully consider my duty in the matter. While doing so, I took charge of a school at Kabletown, in Jefferson County, then in Virginia, now in West Virginia. Before the year was out I decided to become a minister.

The Ketocton Church, the oldest Baptist church in Virginia, licensed me to preach on November 22, 1844. I visited, by invitation, some churches in Pennsylvania, and was invited to become pastor of several of them, but I declined those calls. There was great destitution of Baptist preaching in the Valley of Virginia, and I felt impelled to labor there. I was ordained on the 15th of January, 1845, at Ketocton Church, by Elders T. D. Herndon, Joseph T. Massey, Thaddeus Herndon, and John S. Reynoldson.

Soon after my ordination I spent a night with Rev. Thornton Stringfellow, one of Virginia's ablest preachers. He said to me:

“My young brother, I shall give you some advice that an old brother gave me when I commenced to preach. It is this: You will meet many things during your ministry that are *unaccountable*—things said of you and of your work, misconstructions and misrepresentations of things you have said and done, and prejudices against you—all wholly *unaccountable*. A minister of the Gospel could not please the Devil better than by wasting his time to *account* for *unaccountables*. Lay them down, and go about your Master's business. You will also find many *incurable* things—things, it may be, that you have said or done, that you truly regret and would gladly unsay or undo, but you cannot. A minister of the Gospel could not please the Devil better than by wasting his time to *cure incurables*. Lay them down, and go about your Master's business.

“I did not,” continued Dr. Stringfellow, “understand this advice when I received it; but I understand it now, and have made two great piles! One of *unaccountables* and one of *incurables*. ”

I did not then appreciate this advice. “What,” thought I, “can any one say of me? I have a fair record now, and I shall be so guarded in the future that I shall not arouse prejudice, make enemies, or give any one occasion to say unkind things of me.”

Alas, alas! how little I knew of the world, of the Devil, and of *myself*!

The fifty-five years I have lived since that interview have been full of unaccountables and incurables. I, too, have made a great pile of 23 each, and I fear I shall continue to enlarge them until I am called hence.

The Valley of Virginia, lying between the Blue Ridge and the North Mountains, is about thirty miles wide, and its length from the Maryland line to Lexington, Virginia, is about one hundred and sixty miles. This is one of the most beautiful, populous, and productive portions of the State.

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The only Missionary Baptist churches in this valley, at the time of my ordination, were Mount Zion in Berkeley County, Zoar in Jefferson County, Berryville and Bethel in Clarke County, and Front Royal in Warren County. There were none in the counties of Shenandoah, Page, Rockingham, and Augusta. Anti-mission, or, as they called themselves, "Old-school-Baptist" churches, were more numerous.

The Salem Union (Missionary) Baptist Association met at Cedar Creek Church in Frederick County, in 1845. Mr. Joseph Coffman, one of the excellent of the earth, having become tired of the do-nothing policy of Antinomianism in his county of Rockingham, attended the Association to invite its ministers to visit his county. He was advised to invite me. My youthful appearance and my inexperience, as he told me afterward, made him apprehensive that I would not be able to contend with the "hard shells" I should meet. He finally, with many misgivings, invited me. I accepted his invitation, and authorized him to make two appointments for me for the Sabbath I was to be with him.

The novelty of hearing a "New-school-Baptist" preacher brought out large congregations. 24 I rode twenty-two miles to my morning appointment, and six to that of the afternoon. I met there an old brother that said afterward, "I feared that you *would* not come; and when you rode up, I wished you *had* not come—a mere boy instead of the man I expected!"

There were many denominations and much preaching, such as it was, in the Valley; but there was great dearth of Gospel preaching.

From that time forth I traveled constantly from Martinsburg, in Berkeley County, to the county line of Augusta—about one hundred and twenty miles—and preached wherever I could, in churches, schoolhouses, private houses, groves, and once in the upper story of a distillery. On the 15th of November, 1845, Salem, the first Missionary Baptist church of Rockingham, was constituted, and it consisted of twelve members. About this time Dr. Robert Ryland, of sacred memory, visited the Valley; and upon his return to Richmond had

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me appointed a missionary of the Virginia Baptist Association, which relation continued until I left the Valley in 1854.

Bitter denominational feeling was expressed in those days in language that was crude and uncouth; and, after having had a variety of experiences, I no longer wondered that the name "Baptist" was unpopular in the Valley. I found that I was between the upper and nether millstones; that I had to steer my course between Paedobaptists on one side and Old-school-Baptists on the other, as carefully as if I were sailing between Scylla and Charybdis. Missionary Baptists were unknown in a large portion of the Valley; and I, young and inexperienced, was the only missionary Baptist preacher between 25 Winchester and Lexington. Anti-mission Baptists were comparatively numerous, and had quite a number of churches. The changes that have taken place since that time are truly wonderful. Anti-mission Baptists have become almost extinct, while missionary Baptists have increased.

On August 30, 1847, I was married by my brother to Margaret Ann Kable, daughter of John Kable, Esq., of Kabletown, Jefferson County, Virginia.

After our marriage we lived seven years in Harrisonburg, Virginia. There was no Baptist church there, so I rented a hall, employed a sexton, furnished lights, and preached. It was natural that those denominations that had established churches there should oppose newcomers entering their fields, and this was fully demonstrated in my experience. I met fierce opposition on all sides; yet this was a happy period of my life.

The growth of Baptist sentiment, the belief in Baptist principles and doctrines, and the increase of Baptists and Baptist churches in the Valley have more than met my anticipations. There are now two flourishing missionary Baptist associations in this field—the Augusta Association, with thirty-three churches and 3346 members, and the Shenandoah Association, with twenty-four churches and 2524 members. Of these fifty-seven churches, forty-eight have been constituted since the spring of 1844.



In 1854 I accepted calls to the pastorates of Mt. Ed Church in Albemarle, and Hebron and Adiel churches in Nelson County. I boarded with Mr. Joel Smith, who lived near the line 26 between the two counties, for two years; and during that time John Brown spent several days there. He introduced himself as Dr. McLane, and professed to be treating cases of hernia. He said to me that very few people had any idea how many negroes were afflicted with it; and he stayed with them every opportunity he could get. The horse he drove was a good one, and in his light wagon he carried trusses. He was intelligent, well informed, pleasant in manners, affected great piety, and seemed familiar with the Bible. He wished me to make an appointment for him to preach. The instinctive feeling that he was not what he professed to be made me decline to do so. I visited the jail in which he was imprisoned after his Harper's Ferry raid, and at once recognized him as the pretended "Dr. McLane."

In 1862 my health failed and I had to discontinue all pastoral labor. I purchased Ash Lawn, a farm in Albemarle County that had once been the home of President Monroe; and my family has resided there ever since.

27

### CHAPTER III POLITICAL AFFILIATIONS

My father was an "old-line Whig," and, believing he must be right, I accepted his political sentiments. After I commenced practicing law I made speeches in advocacy of the election of Henry Clay. When I entered the ministry of the Gospel I ceased active participation in politics.

Rockingham County, where I resided for about ten years, was the "Tenth Legion of Democracy"; and although there were, I think, at least ten times as many Democrats in the county as there were Whigs, I voted none but Whig tickets.

Just before becoming a citizen of Albemarle, which was largely a Whig county, I visited my brother Joseph, who was then pastor of the First Baptist Church in Bellingham,

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Massachusetts. I traveled through the Middle and New England States, and what I saw and heard during my sojourn in them convinced me that none but the Democrats were friends of the South.

This led me to examine more carefully than I had done before the difference between the two parties. I found the fundamental difference between them to be their different constructions of the Constitution of the United States, and their respective estimates of their obligations to obey it. Democrats advocated strict construction of the Constitution and compliance with its 28 requirements: Whigs advocated latitudinous construction of it, and did not seem willing to be governed by its requirements and restrictions. From this loose idea of fundamental law they were naturally led into loose legislation and sectional prejudices. The Democratic party was national: the Whig party, in the North, was sectional.

These facts caused me to change my political opinions and affiliations, and kept me in the minority—a Whig in the Democratic county of Rockingham, and a Democrat in the Whig county of Albemarle.

When South Carolina, anticipating the consequences that would follow the election of a sectional President, withdrew from the Federal Union, my brother-in-law in Pennsylvania wrote me: “We are organizing a regiment to tender to the President to be ready at forty-eight hours' notice to coerce South Carolina back into the Union.”

I wrote him the following letter in reply:

“ Dear Sir: Your favor of the 25th instant came to hand last evening, and I hasten to reply.

“Prior to my entrance into the Christian ministry I was an active participant in the political questions of the day. Since that time I have, with very few exceptions, entirely refrained from any participation in them. I have a higher and a holier work to perform, which neither my own inclination nor my sense of duty will ever allow me to neglect for such a purpose. Such, I believe, has been the uniform course of my ministering brethren in

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the Southern States. They have shown that they understand it to be their 29 business to preach the Gospel, and to 'let the dead bury their dead.' We have been deeply grieved at the humiliating spectacle exhibited by a large portion of the ministers of the different denominations in the Northern States, who, forgetful or unmindful of their high and holy calling, have degraded the pulpit to a mere political arena; who, instead of laboring with an humble, yet firm, reliance upon the aid of the Holy Ghost to infuse into the hearts of their hearers the pure principles of the Gospel, have aroused the worst feelings of passion and prejudice by the most inflammatory harangues, teeming with misrepresentation and extravagance, and containing just such an admixture of half-defined religious truths as was necessary to inspire their deluded hearers with the idea that they were discharging religious duties, and acting under the sanction of Christianity, while violating almost every Christian precept and principle. Yet, averse as I am to even an apparent departure from the legitimate business of the Gospel minister, the high regard I have for you, and the profound concern I, in common with all lovers of justice, peace, and order, feel at the perilous condition of our once happy, prosperous, and united, but now sad, blighted, and divided nation, impel me to express myself upon that portion of your letter which refers to our national interests.

"You say: 'The North and West are now thoroughly aroused, and they are determined that the Union must and shall be preserved, come what may.' Had this devotion to the Union been felt and manifested in the right direction at an earlier date, this sentiment would have called forth long, loud, and hearty responses 30 of approbation from all parts of our noble Confederacy. But I have most serious apprehensions that this desire to save the Union, by those of whom you speak, is both ill-timed and misdirected.

"It must be apparent to every thoughtful, intelligent man that the union of sovereign States, embracing almost every variety of soil and climate, whose interests are as varied as their soil, climate, and diversified pursuits can render them in a purely republican government, can only be preserved by a strict observance of the principles of right and justice by the citizens of each State to those of all the other States; and by the faithful compliance, in

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every part of the Union, with all the articles of agreement entered into in its formation. A Union of independent sovereign States, in which these principles are disregarded, needs no foreign foe to overturn it. It contains the elements of destruction within itself which will as certainly work its ruin as cause produces its legitimate effect.

“Have these principles been faithfully observed in all parts of our Union? If so, what has produced from one extremity of it to the other this alarming state of apprehension which so much resembles the death throes of a mighty nation? The time was when politically we had no North, no South, no East, no West! South Carolina and Massachusetts, Maine and Georgia, Pennsylvania and Virginia, were separated, it is true, by geographical limits, but were bound together, not simply by cold and formal agreements spread on parchment, but by the warmest ties of friendship, into the closest bonds of a common brotherhood. Then the citizens of each 31 portion of our Confederacy received a cordial welcome in every other portion of it, and mutual confidence characterized the intercourse between those who occupied its most opposite extremes. Alas! alas! how changed! Who that is ignorant of our history, when viewing the sectional divisions, the party strifes, and the bitter feelings that are seen, heard, and felt in our land from its center to its circumference, could believe that we are one people, bound together not only by bonds of common interest and safety, but by the closest and dearest ties of consanguinity? What has produced this deplorable change? Have the Southern States committed any acts of aggression upon their brethren of the Northern States? Have they violated their constitutional compacts, or their Congressional compromises? Have they trespassed upon their rights, either local or political? Have they invaded their soil and sought to subvert their government? What interference with the State sovereignty, the internal policy, the domestic relations, or the peace, safety, happiness, and prosperity of the Northern States are the Southern States guilty of? So far from exhibiting any feeling of hostility, prejudice, or unkindness toward them, they have sought by every honorable means to cultivate the most fraternal intercourse with them. They have furnished them with a large portion of their daily food, and the material for their raiment. They have consented to

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be heavily taxed by the imposition of high duties on goods of foreign manufacture, to sustain Northern manufacturers. They have furnished a convenient, safe, and profitable market for the products of the labors of Northern mechanics, and the manufactures 32 of Northern capitalists. They have sent their sons and daughters to Northern schools and colleges, and have employed the sons and daughters of Northern States to occupy positions of honor and profit in their midst. And, until self-preservation impelled us to a different course, the Northern citizen was not only received in our homes, at our firesides, our tables, and our family altars, but was greeted with a welcome warm as the sunny clime in which we live, and made to feel that he belonged to the family circle rather than that he was a stranger in a land of strangers. What unreasonable demands have the Southern States made upon the North? They have simply asked that their just and equal rights in, and to, the Territories, which are the common property of the whole nation, shall be properly recognized; and to be let alone in the possession of their property, in the management of their internal affairs, and in their domestic relations and institutions. Have these self-evident rights been enjoyed by the South? How has the North reciprocated Southern hospitality and confidence? Let facts answer. In numerous instances, while citizens of the North have been enjoying the hospitality and confidence of their Southern entertainers, they have repaid that hospitality and abused that confidence by publishing to the world the most exaggerated and prejudicial accounts of Southern domestic relations and management; and by seeking, clandestinely, to infuse the most evil thoughts and purposes into the minds of the servants of Southern households. Northerners have, in violation of both human and divine law, encouraged and aided our servants 33 to escape from their rightful owners; and have, under false pretenses, obtained their labor without giving them a proper equivalent for it—thus defrauding both the servant and his owner—and have shown their owners every conceivable indignity and violence, and interposed every conceivable obstacle in the way of their reclamation by either owners or the officers of the Federal Government. Northerners have, by their legislative enactments, nullified the laws of Congress, treated with contempt the decision of the Supreme Court of the United States, and violated both in letter and spirit the sacred compact under which our

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Union was formed. They have—by armed force, organized and equipped in their midst—forcibly denied the citizens of the Southern States an equal participation in the rights to the Territories which were joint property. Not content with murdering our citizens abroad, they have invaded our own State and shed Virginians' blood upon Virginia's soil. And when the foul fiends, who had sought to apply the midnight torch to the dwellings of helpless women and unconscious babes, and to deluge our land with the blood of its inhabitants, received, as they so richly deserved, the felon's doom, they were canonized and almost deified by their cowardly allies, whose only virtue consisted in their strict observance of the 'first law of nature,' which they took care to observe by keeping at a safe distance from the tragic scenes that resulted from their own evil counsel and encouragements.

"Northerners have sought to corrupt our servants and to render them unhappy and discontented; and, by traveling emissaries and incendiary 34 publications, are now inciting them to incendiary insurrection, and to every species of brutality and wickedness.

"And, as the crowning act of a series of wrongs almost without a parallel, when one of the original thirteen States, that joined in framing a confederacy of sovereign States for the mutual benefit and safety of the whole, has been driven, by unendurable wrongs and injustice, to withdraw from a confederacy in which she could no longer remain with safety or honor, you say: 'We are organizing a regiment here to tender to the President at 48 hours' notice.' The object of this regiment is, you say, to aid in 'coercing South Carolina into the Union.'

"Are there no graves in Pennsylvania? Are her citizens reduced to such poverty that they cannot obtain a spot of earth large enough to give their bones a resting place? Or, are they ambitious to leave them to bleach upon Southern soil? South Carolina may be a 'lone star' from our banner now; but the first attempt to invade her territory with hostile intent will make her the center of a constellation, whose light will not be dimmed till every star has faded from our national flag, leaving only the stripes as fit mementoes of the torn and

## Library of Congress

lacerated condition of the once noblest and loveliest piece of political architecture ever drafted by an uninspired pen.

"I yield to no man in devotion to the Union, as long as it can be preserved upon equal, equitable, and honorable principles. I once thought 'dissolution' a sacriligious word; and long and ardently I cherished the hope that the day never would arrive when calm, deliberate men would be driven to decide that a dissolution of this once glorious Union would be the least evil of the alternatives that they had to choose between. But that hope pulsates so feebly now that it scarcely gives even the faintest evidence of life. I can conceive of but one possible way of preserving the Union. That way is for the Northern States to abandon completely that course of policy which has produced the present crisis, and to give to the Southern States sure guarantees that their rights will be properly respected in the future. Not only must this be done surely, but it must be done speedily, or it will be too late. Judging from the past, I have but little hope that this will be done. Hence, I have but little hope that the Union will be preserved. My hope of the former is just as strong as my hope of the latter. These are not merely my sentiments, but the prevailing sentiments of the South. You will see, therefore, that the North and West are not the only portions of the Union that are thoroughly aroused.

"If, however, the days of the Union be numbered, as I fear they are, and a separation of those composing it must take place, is war inevitable? Because the Union was 'cemented by the blood of our sires,' must it necessarily be dissolved by the blood of their sons? I yet hope there is too much wisdom and virtue on both sides of the question to inaugurate such a reign of terror as a civil war would be. What benefit could possibly enure to either party by war and bloodshed? It is contended by some that the South has all to lose, and the North all to gain. That the South will lose much by such a conflict I will not deny. But will not the North lose also? Does any man imagine that such a war, when once commenced, will cease till it burns into the very heart of the free States? He who expects this has but half counted the cost; rely upon it, all the lives and property that will be sacrificed will not belong to the southern side of 'Mason and Dixon's Line.' Suppose

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the North prove stronger than the South, and succeed in her mad project. What will she gain by the honor of staining her hands in the blood of her own relatives, children of the same mothers with themselves? Echo answers what? All they can hope to gain is the honor of inhumanly turning adrift a race, incapable of self-government, to overrun the land like the locusts of Egypt, and to mingle with their half-starved brethren of the North, to sink into a state of degradation second only to that of their forefathers in their land of darkness and barbarism. Will such an object as this nerve the arms and inspire the hearts of Northerners as the defense of their property, their rights, their homes, their firesides, their family altars, their wives, their daughters, and their sacred honor will nerve the arms and inspire the hearts of Southerners? Think you, that with such prompters as these the sword once drawn will ever return to its scabbard while a foeman can be found in the field? But suppose, as I have said, you ultimately succeed; what still becomes of the Union that 'must and shall be preserved'? Will it still be a republic composed of sovereign States voluntarily associated together for the benefit of each as well as of the whole? Or, will it be a consolidated military government, the various parts of which are kept together by the force of 37 a standing army? Of whom will this army be composed?

"Will the very people, who are struggling to escape from an association in which neither their property, their honor, nor their lives have been safe, become the instruments with which to lash themselves back into that association? Depend upon it that those who talk about coercing a sovereign State back into a republic from which she has peaceably withdrawn, have taken but a superficial view of the subject. They have failed to consider it in its most important bearings.

"I adjure you, unless every vestige of virtue, honor, patriotism, and humanity has fled from your midst, abandon forever the idea of planting your foot upon Southern soil for such an object as that for which your regiment is being organized.



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"I have written much more at length than I thought of doing when I commenced. My only apology is the momentousness of the subject of which I have written, and my desire to give you the sentiments which pervade the entire community.

"With due respect, "Your obedient servant, " John E. Massey.

"Albemarle Co., Va., "December 28, 1860."

When it became known that Mr. Lincoln and his advisers were determined to make war upon the States that had peacefully withdrawn from the Federal Union, Virginians hoped to avert so dire a calamity, and to secure a peaceful settlement between the Federal Government and the seceded States. Finding their efforts vain, and that they must either join their Southern brethren in defense of their rights, or join with Northern invaders to destroy them, they passed an ordinance of secession and united their destiny with that of their sister Southern States. Virginia, being the most northern of the seceding States, became largely the battle-ground of the four years' conflict, and suffered worse than any of the Confederate States.

I had not then, nor have I had since, the slightest doubt that the principles for which the South contended were right. Hence, I was a secessionist, and I did all I could for the Southern Confederacy. I raised all the grain and provender I could for the army and loaned as much money as I could to the Confederate Government, for which I still have its bonds, and its "Seven-thirty" notes—that is, one hundred dollar notes bearing seven dollars and thirty cents interest per annum.

In the summer of 1863 the First North Carolina Regiment and the "Georgia Tenth Legion" were encamped on my farm to recruit their horses. I had a stand erected from which I preached to these men a number of times, and I baptised one of the North Carolinians. As a body they were orderly and gentlemanly.

A short time before the war ended General Sheridan's army encamped for a considerable time about two miles from my home, Ash Lawn. When they left the neighborhood they took with them all the horses they could capture and all the negroes they could persuade to go. Soon 39 after Sheridan's army left, a regiment of Confederate cavalry encamped in the neighborhood.

On the day after the evacuation of Richmond I went to Charlottesville and heard the news. Hon. J. Randolph Tucker, then Attorney-General of Virginia, addressed the people and tried to revive their drooping spirits, but his address was of decidedly a funereal character.

Soon after General Lee's surrender, a number of Confederate soldiers spent the night with me on their return from Appomattox on their way to their homes in the Valley of Virginia. At other times their coming would have given me great pleasure, but their coming then was the burial of my fondest hopes and the realization of unconquerable despair.

40

### **CHAPTER IV VIRGINIA AFTER THE WAR**

During the civil war about one-third of the territory of Virginia was arbitrarily taken from her, formed into a new State, and admitted into the Federal Government as "West Virginia." At the end of the war the residue of Virginia was made a Military District, known as "Military District No. One"; and was held as such, and governed by military commanders, appointed by the Federal Government, for five years.

A legislature was elected in 1866, but was treated by the military commander as merely provisional. He allowed it to remain in session long enough to increase the ante-bellum debt of Virginia about \$8,000,000 by capitalizing the war interest on it. He then prorogued it, and did not allow it to meet again during the five years of military rule.

Virginia occupied the anomalous position of being neither out of, nor in, the Federal Union. When she seceded from the Union she thought she was out of it, and no longer a part

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of it. The Federal Government said, "Not so; you are in, and cannot get out!" When the arbitrament of war decided against her she accepted the result in good faith, and proposed to resume her rights and duties in the Union. "Not so," said the Federal authorities; "you are out and cannot come in!"

41

A convention was held in 1869 to frame a constitution for the part of Virginia that remained after the admission in 1862 of West Virginia into the Federal Union. That convention was composed mainly of carpetbaggers, scalawags, and negroes. A constitution had been prepared for them, believed to have been dictated by Gen. B. F. Butler, familiarly known as "Beast Butler."

If the Constitution adopted by the "Underwood Convention" had been adopted, as a whole, by the people of Virginia, it would have deprived almost every respectable white man in Virginia of the right of suffrage. It seemed to have been especially designed to degrade and humiliate the virtuous and intelligent citizens, and place them under the most ignorant and vicious. President Grant, to his honor be it said, permitted the disfranchising clause to be voted on separately. This clause was fortunately defeated, but 84,404 scalawags and negroes voted for it—voted to disfranchise nearly the entire virtuous, intelligent, and property-holding citizenship of Virginia! There was scarcely a satisfactory clause in that part of the Constitution that was adopted; but the desire to be relieved of military rule, the fear that its rejection would be a pretext for still greater oppression, and the hope that we could so amend it as to make it bearable, caused many to vote for it who would not have done so but for these considerations.

Although the disfranchising clause of the Underwood and scalawag Constitution was defeated, the fourteenth amendment of the Federal Constitution made many Virginians ineligible to office. 42 It says: "No person shall be a Senator, or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, previously having taken an oath as a

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member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive, or judicial officer of any State, to support the Constitution of the United States shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof." This amendment made those who were most capable of filling offices ineligible to them.

Prior to the war the political parties in Virginia were known as Democrats and Whigs. They differed less in the ends at which they aimed than they did as to the means by which those ends were to be gained. Each party was guided by able and patriotic statesmen, who were striving to promote the best interests of their country and of their fellow-men. When these parties saw the honor and safety of Virginia menaced by the combination of carpetbaggers, scalawags, and negroes, they, both Whigs and Democrats, agreed to give up their respective names, to ignore their former differences, and to meet on common ground for the common good. The party thus formed took the name of the "Conservative party of Virginia."

At the first election under the new Constitution, Gilbert C. Walker, an adventurer from New York, was elected Governor, and John F. Lewis, a Republican, Lieutenant-Governor. The legislature was nearly equally divided between Conservatives and the heterogeneous combination 43 of their opponents, the latter having a small majority.

It was difficult to find suitable representative men who were eligible to office. As I had never held any office which rendered me ineligible, I was solicited to be a candidate to represent Albemarle County in the Virginia legislature; and, when the Conservative convention met to nominate candidates, my name was the first proposed for nomination. I requested leave to withdraw my name. Others were nominated and I did what I could to have them elected.

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The debt of Virginia in 1861 was \$31,187,999.32. The holders of her bonds, knowing that her resources had been greatly reduced by the war, regarded her bonds as almost worthless, and sold them at very low prices. Many of them were sold for *eleven* dollars on the hundred and some for still less. Remember this.

Governor Walker and his brother Jonas, of New York, were believed to have invested largely in Virginia bonds at these low figures. He, the Governor, then prepared a message for the legislature that was calculated and doubtless intended to enhance greatly the value of Virginia bonds. This message was known to have been used in Wall Street, New York, two weeks before it was sent to the Virginia legislature.

All the taxable property of Virginia in 1861 was assessed at \$585,099,322.77. The war had deprived her of about one-third of her territory, with all its taxable values, of all her slaves, and of nearly all her personal property; and had greatly reduced the value of her lands. Yet, ignoring these facts, Governor Walker stated in his message to the legislature that the taxable values of Virginia were then \$723,115,589—\$138,016,266.23 more than they were before the war!

The assessment for taxes, which occurred soon after this misleading message, showed that our 45 taxable values were but \$336,686,432.22! That is, that they were \$386,429,156.78 less than he stated they were in his official message! and \$24,871,362.28 less than *one-half* of what he said they were! He also stated that “of the assets and securities held by the State \$2,612,776.37 are considered of equal or greater value than State bonds at present quotations.” He, further on, stated that the State owned other assets amounting to “\$10,048,267.91, which it is hoped in a few years will be equal in value to State bonds, and will be available for the redemption of the State debt.” The whole amount realized from these reported assets, aggregating \$12,661,044.28, fell short of \$3,500,000.

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Governor Walker followed this message with a scheme for the settlement of the State debt. The result was the Funding Bill of 1871. This scheme provided for calling in the bonds that had been issued by the old State of Virginia (antebellum Virginia), and giving, in exchange for them, new bonds for two-thirds of their amounts, and certificates of indebtedness for the remaining third. These new bonds were to be both “registered and coupon,” and the holder of either was to have the right to exchange them for the other at pleasure. Each class was to bear six per centum interest per annum, payable semiannually on the first day of January and on the first day of July. They were to run thirty-four years. The coupon bonds were to have sixty-eight coupons attached to them, and to be receivable for all taxes, debts, and dues, due the State at and after their maturity, and this was to be expressed upon their face. They were to have the name of the State Treasurer, lithographed, 46 to them. Hence they were to be complete and self-executing—needing nothing more to give them legal force. The bonds were to be for \$100 and its multiple. They were to be lithographed without any official signature. When issued they were to be signed by the State Treasurer, and countersigned by the Second Auditor.

When this scheme was first voted on it was defeated by a decided majority. Governor Walker was said to have been quite angry at this result, but smothered his wrath, and gave an entertainment at the Executive Mansion which was attended by nearly, if not quite, all the scalawag, carpetbag, and negro members of the legislature. When the legislature re-assembled the vote by which the bill had been defeated was reconsidered. The bill was then passed by a minority of the Conservative members, and every Radical of both houses, except Robinson (colored) from Cumberland County, voted for it. The negro members were seen with unusual sums of money for several days after its passage.

The passage of this bill was Pandora's box—the Iliad of all our woes!

The Treasurer of Virginia had \$50,000,000 “coupon bonds” lithographed, with more than \$100,000,000 of coupons attached to them, and a corresponding amount of “registered

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bonds." Extra clerks were employed in the Treasurer's office, and the work of exchanging the new bonds for the old was performed with hot-bed speed.

It is doubtful whether any other legislative act ever met more general and determined opposition from the people of Virginia than this did as soon as its character became known. The demand for its repeal was general and unmistakable. The next legislature was elected with implied, and in many cases with expressed, instructions to repeal it, which it did.

A majority of the Supreme Court of Appeals decided that it was irrepealable so far as funding had progressed under it. Judge Waller R. Staples delivered a dissenting opinion, which, for perspicuity and acumen, has rarely been surpassed or equaled, and which stands as a monument to his superior intellect, his legal attainments, and his sense of justice.

In 1873 I was again solicited to become a candidate for the legislature, and I published the following circular to the voters of Albemarle County:

"Fellow-citizens: You have been requested to meet at your various precincts on Saturday, the 16th instant, to appoint delegates to meet in convention in Charlottesville on Saturday, the 23d instant, to nominate candidates for the next legislature of Virginia. As I have consented to have my name presented to that convention for nomination as one of the three candidates, it is due both to you and to myself that I should give my reasons for this step. Before doing so, however, I wish to say I am no politician, and hope never to become one, in the sense in which that word is generally used.

"Upon the termination of the war, the great mass of our people returned to their homes to find themselves robbed and despoiled of almost everything except their lands and their debts. The neglect which our lands suffered during the four years of war made their cultivation more difficult and less profitable. The derangement and demoralization of labor made it almost impossible so to cultivate them as to make more than a bare support.

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The only things that remained undiminished were our debts. Neither our private nor our public debts lost anything by the war. Those that owed them were often so worn down by long marches and hard battles, that, unable to pitch their tents, they slept soundly with only a stone for a pillow, and the canopy of heaven for a covering; but these debts never slept either by day or by night. Theirs was a constant and a forward march. The great losses on one hand, and the constant increase of debts on the other, combined to place the debtor in a position of peculiar embarrassment; and entitled him not only to sympathy, but to all honorable measures of relief. But, as if determined to add 'the last feather needed to break the camel's back,' the rate of interest was doubled; and those that were unable to pay six per cent. were required to pay twelve. Our last legislature, as if determined to keep pace with the body that had increased interest on private debts from six to twelve per cent., funded the interest on the State debt, and thereby made it necessary, unless that Act be repealed, to increase the State tax to nearly double what it now is in order to pay the interest on this debt.

"Those that know how difficult it is to pay the taxes now imposed may well be alarmed at the thought of what they will be if the course thus far pursued be continued.

"We contemplate, with pride and pleasure, the untarnished honor of our ancestors, and of the noble State that gave them birth; but we may well doubt whether that heritage would have been transmitted to us if they had been required to bear the burdens that are placed upon the shoulders of their descendants. The only way by which we can preserve that heritage is so to reduce our burdens as to render them bearable, and to inspire our dispirited people with a reasonable hope that they may, by proper diligence, relieve themselves of their embarrassments at no very distant day. To do this, interest on private debts must be reduced to its former rate. The Funding Bill must be repealed, and the expenses of government must be reduced.

"The legislature should begin the work of retrenchment by reducing the pay of its members to what it was before the war, and by shortening, as far as possible, its sessions. The



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number of officers, both State and county, should be lessened, and the salaries of those that are continued should be reduced. By this course our taxes, instead of being increased, may be lessened, our government administered more economically, and our honor be still preserved.

“If you, fellow-citizens, desire the adoption of such measures as these, the remedy is, to a great extent, in your own hands. In selecting men to represent you in the legislature, be sure to select those whose interest is so thoroughly identified with your own that they cannot possibly impose a burden upon you that they will not have to bear also; or adopt measures to relieve themselves that will not also relieve you. Select men, too, who have sufficient intelligence and ability to understand and to maintain your interest. And be sure that they are men of such strength of character and of moral principle 50 that they will discharge their duties with energy and with fidelity.

“In common with you, fellow-citizens, I feel the crushing weight of the burdens imposed upon us, and I have been anxiously looking around for such men as could most likely lessen these burdens; but should never have thought of proposing myself as one of them if I had not been urged to do so by many of the best citizens of the county, who, I am sure, could not have been influenced by mere personal considerations. Even after I consented to take the subject under consideration I found it exceedingly difficult to get my consent to have my name used in such a connection.

“Those of you who know me will not doubt my sincerity when I assure you that if I were to consult my own comfort, or personal interest alone, I would not consent to come before you as a candidate for the legislature, or for any office whatever. Neither do I expect to gain honor or popularity by it. I have no political aspirations. When, twenty-seven years ago, I entered the ministry, I expected to spend my life in it, and to devote my whole energy to it; but the complete failure of my health some years past made it necessary for me to give up my charge, and to discontinue pastoral labor. Since then I have devoted myself to farming in order to support my family and to educate my children; and although

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my health has so far improved as to enable me to perform partial ministerial labor, I see no prospect of my again entering the full ministry. I am, and ever have been, opposed to ministers of the Gospel becoming active participants in political affairs; but 51 the facts I have stated satisfy me that my present position is not incompatible with my duty, but is in perfect accord with it. Very many of those to whom we have looked for assistance in our times of need are held by the Federal judges to be ineligible to seats in the legislature, and it is made necessary to bring those forward that have never before held office.

“Under these circumstances I have yielded to what I believe to be the wish of a large majority of the voters of Albemarle, and I now place my name before you.

“No one appreciates personal friendship and kindness more highly than I do; but, fellow-citizens, I do not ask you to support me from personal considerations. Study your own interest; and if you believe, all things considered, you can select from those now available three other candidates who will represent your interest better than I will, give them your support. If, on the other hand, you think it will promote your own interest to send me to the legislature, then give me the nomination.

“I will add, if I am one of your nominees I will use all honorable means to insure the success of your ticket: and, if elected, will faithfully represent your interest to the utmost of my ability.

“Very respectfully, “Your fellow-citizen, “ John E. Massey.

“Ash Lawn, 1873.”

I was nominated and elected.

Governor Walker's official term expired January 1, 1874, and he returned to New York soon 52 thereafter, to the regret of few, and to the joy of many.

General James L. Kemper succeeded Governor Walker, and most ably and faithfully filled the gubernatorial office. He was a thoroughly honest man, a high-toned gentleman, well qualified for the high office he held, and conscientious in discharging its duties.

After careful investigation of Virginia's financial condition—her resources and liabilities—he made a statement to the legislature of the taxation in Virginia, under State laws, for the years 1872–'73, the last for which local taxation had been received. This statement I shall give later under “Debts and Taxes.”

The facts disclosed in it indicated the necessity of able financiering, careful husbanding of Virginia's resources, and rigid economy in all departments of her administration.

53

### **CHAPTER VI “PARSON MASSEY'S COUPON BILL” 1874–75**

Novice as I was as to the administration of public affairs, I was shocked at the loose and careless manner in which they were done. Virginia's only safeguard seemed to be in the honesty of her officials.

As has been stated, coupon bonds aggregating \$50,000,000 with coupons aggregating \$120,000,000 attached thereto that were receivable in payment of all taxes, debts, dues, and demands due the Commonwealth at and after maturity, had been prepared.

The bonds, when issued, had to be signed by the Treasurer, and countersigned by the Second Auditor; but the coupons were perfect and complete. When detached from their respective bonds they passed as current as bank notes. One crop of these matured on the first of January and on the first of July for thirty-four years. There was no way by which those coupons that were taken from bonds that had been issued could be distinguished from those that had not been issued.

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These bonds, aggregating \$50,000,000 with their coupons aggregating \$120,000,000, were kept in wooden presses in the Treasurer's office. It would be difficult to conceive of a fairer, or more tempting, opportunity for fraud and stealing <sup>54</sup> than this state of affairs presented. In addition to this menace, the plates with which these bonds and coupons had been engraved were still in the possession of the engravers, who could increase their number indefinitely.

I prepared a bill entitled, "An Act to Protect the State from Counterfeit and Surreptitiously Obtained Coupons." This bill was called "Parson Massey's Coupon Bill," and it was as follows:

"Sec. 1st. Be it enacted by the General Assembly of Virginia that it shall be the duty of the Secretary of the Commonwealth, whenever coupon bonds that have been issued by the State of Virginia are presented to him for the purpose, to write upon all matured coupons attached thereto, but upon none others, the word 'Genuine,' and to affix his name and the date of the said endorsement thereon.

"Sec. 2d. That all holders of coupon bonds that may have been issued by the State of Virginia may, at their pleasure, have the matured coupons attached thereto endorsed as provided in section first of this act.

"Sec. 3d. That no paper purporting to be a coupon that has not on it the endorsement provided for in this act shall be received in payment of any taxes, debts, dues, or demands due the Commonwealth.

"Sec. 4th. This act shall be in force from its passage."

This bill did not deny the receivability of coupons, but provided a way, and the only way, by which their genuineness could be established. <sup>55</sup> It was referred to the Committee of "Courts of Justice." The first and second auditors went before the committee and opposed the bill. They insisted that the things it proposed to guard against "never could occur," and

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that it was a reflection upon them and their offices. The committee reported the bill back to the house, with the recommendation "that it do not pass."

After the bill had been reported back to the house, I spoke in advocacy of its passage. Its opposers claimed, first, that it would subject bondholders to expense and inconvenience; and, secondly, that there was no necessity for such a precautionary measure.

I admitted that it would subject bondholders to trouble and expense, but I claimed that such were the necessary consequences of all measures of self-protection; that locks, bolts, and bars to our doors were expensive, and that it was annoying to have to stand at our own doors in a pelting storm at midnight until we could arouse the family to let us in; but that no wise man would leave his family and his goods open to murderers and thieves to save the expense and trouble of protecting them.

So soon as the character of the bill became known to bankers and brokers that dealt in coupons, a most bitter and relentless war was waged against it and against its author.

The Funder newspapers of the State, and, so far as I know, they were all Funders, opened their batteries against me, not with arguments but with sneers and bitter epithets. They charged "Parson Massey" with being a demagogue and a repudiationist; and they declared "Parson Massey's Coupon Bill" a scheme to defraud creditors. These charges were iterated and reiterated until those that did not know "Parson Massey," or the character and design of his "Coupon Bill," might have been excusable if they believed him to be but little better than an incarnate demon. Col. Thomas S. Boccock once pointed me out to an elderly lady in a railroad car as "Parson Massey." She clasped her purse and said, "Then I must keep my hand on my purse!"

Few measures were ever opposed more vigorously than this was. After it had been discussed several days it was ordered to its engrossment and third reading by a safe majority. A motion was then made to reconsider this vote. This motion was defeated. Its

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opponents, finding that I had a majority in two test votes, redoubled their efforts. When the vote was taken on its passage it was defeated by a small majority—two or three.

Its opposers were wild with delight, and it was announced that “Parson Massey” was to be buried. Hon. A. H. H. Stuart, of Staunton, was to deliver the funeral oration. Major J. Horace Lacy, of Spottsylvania, my native county, arose to a “question of personal privilege.”

“I understand,” said he, “that the gentleman from Albemarle (Mr. Massey) is to be buried, and that the silver-tongued orator from Augusta is to deliver his funeral oration. I claim the text from which he is to deliver it. I want his text to be: The resurrection of the just. You may bury the gentleman from Albemarle, but he will rise again, and Virginia will rise with him!”

The joy of the opponents of my bill was 57 evinced by having me cartooned with two of my friends at my head and two at my feet as mourners, and three of my opponents at my side as victors; while my winding-sheet was made up of coupons marked “Genuine,” and my head was pillowed upon a pile of State bonds.

While the Funders were congratulating themselves that they had defeated the “Coupon Bill” and killed its author politically, the *Southern Intelligencer* gave the following amusing account of an interview:

“But the *Intelligencer* man, not yet satisfied with his observations around this mournful burying-ground of the Readjusters, sought their great high priest in the Senate—one of the wisest counsellors and boldest warriors they have, the fighting chaplain of their army, the renowned Parson Massey from the classic hills of Albemarle, and right glad were we that we found him! He is, or should be, a great favorite with his flock. His ambassadorial character, his position both of legate from the skies and minister on earth, his vast fund of ecclesiastical, Biblical, political, legal, and Constitutional lore makes him invaluable to his people, whether for spiritual comfort or the rougher and bloodier action of the

## Library of Congress

‘tented field’ . . . If any mishap had befallen him we could see no trace of it in his beaming face. . . . To us he presented a very pleasing aspect; we found him wondrously civil and clever, ready to impart any information at his command, and fully resolved to continue the fight for a readjustment after his own notions to the bitter end.

“Scanning him we said: ‘If this man be dead, 58 he is the *liveliest looking* corpse we ever saw?’ . . . Yes, Colonel Massey still lives. The Re-adjusters are not dead, and the hottest campaign within the knowledge of the oldest inhabitant may be looked for in the election of next fall.”

The reader will please bear in mind that the object of “Parson Massey's Coupon Bill” was to protect the State from “counterfeit and surreptitiously obtained coupons”; and that both Auditors and the Treasurer opposed it as a reflection upon them and their offices, averring that the things I sought to guard against “could never occur.” In less than two months after the defeat of this bill one of the clerks in one of the basement offices was in the penitentiary, No man knows, or ever will know, how many bonds and coupons were thus stolen and used.

The Funder press and speakers had well-nigh exhausted their vocabulary of bitter epithets on me and my plan for verifying coupons, but they soon found it a more practical and serious question than they had supposed. Yet they still held to the farce of verifying them by “expert testimony.”

59

### CHAPTER VII “DEBTS AND TAXES”

In the fall of 1875 I published the following pamphlet, which will explain itself:

“Fellow-citizens: I have been requested by many persons, for whose wish and opinion I have great respect, to publish, in a form suitable for general circulation, several articles I wrote under the above caption for one of our county papers.

## Library of Congress

“There is no subject in which Virginians feel deeper interest, or to which they are giving more attention, than that which pertains to the obligations and the resources of Virginia. Desire for information upon this subject is almost universal. No political speaker complies with the wishes or fulfills the expectations of his hearers without saying something upon it. The political press, it is true, strives most earnestly to silence and to quiet this spirit of inquiry, but, like Banquo's ghost, ‘it will not down at their bidding.’ Yet, strange as it may seem, though the political papers, with but few exceptions, earnestly oppose investigation and discussion of the subject, they rarely fail to publish all that can be said on one side of it.

“The deep and general interest felt upon this subject is not surprising. It is a subject of real and practical importance, in which all are interested. It should, therefore, be fully, yet fairly and calmly, discussed. It should be considered 60 and dealt with as practical business men consider and deal with their private and individual interests.

“ *The Debt of Virginia of 1861* was, according to official report, \$31,187,999.32. It is claimed that the payment of this debt, with its accumulated interest, devolves upon the present State of Virginia.

“ *Is This Claim Valid?*

“From and after the 17th of April, 1861, the Federal Government neither treated nor regarded Virginia as a State. Section 3 of Article 4 of the Constitution of the United States says: ‘No new State shall be formed or erected within the jurisdiction of any other State.’ Yet, on the 31st of December, 1862, the Federal Government provided for the admission of West Virginia into the Union as a new State, entirely separate from, and independent of, the jurisdiction of Virginia. This would have been a palpable violation of the Section I have quoted if the Federal Government regarded Virginia as a *State*.



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“On the 9th of April, 1865, the Confederate forces under General Lee surrendered to the forces of the Federal Government. From that time until January 26, 1870, all that remained of the old State, after the formation of West Virginia, was held and treated as a conquered province. It was constituted into ‘Military District No. 1,’ and held and governed as such until the time last stated. Whatever of civil government there was during this period was merely provisional. Governors Pierpont and Wells were military appointees, and held their appointments 61 and performed the function of their office under the control of, and subject to the dictation of, military commanders. It was expressly declared that ‘any civil government which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time, to abolish, modify, contrive, or supercede the same.’

“When it pleased the Federal Government to permit ‘Military District No. 1’ to become a *State*, it not only prescribed the plan of procedure by which it was to be done, but dictated the main features of the Constitution to be framed, and prescribed the conditions upon which the newly formed State would be admitted into the Union. Among other conditions imposed, we were required to emancipate all our slaves, which constituted more than one-half of our available property; and to ‘*repudiate*’ the whole of the Confederate debt, and all the debt of Virginia that was contracted after the 17th of April, 1861. This carried with it not only her entire currency, but all her ‘Treasury notes,’ all the stocks her citizens held in her banks, and every evidence of indebtedness issued after the time above stated. Many of Virginia's best citizens—those that consecrated their all to the preservation of her rights and the maintenance of her honor—had invested nearly everything they possessed in these securities, and were not only impoverished, but totally ruined by this arbitrary exercise of power.

“When Virginia was admitted into the Union on the 26th of January, 1870, she entered it as an entirely *new* State. She was not the same in her territorial limits, her citizenship, nor her 62 organic law as Virginia of 1861. Under these circumstances I cannot believe she was

## Library of Congress

under any legal or moral obligation to pay the debt of the old State, or ought ever to have assumed it.

“The Federal Government, having destroyed the old State, divided her territory, and compelled bet former citizens to give up more than one-half of their property, without any compensation therefor, and to repudiate every obligation she assumed after April 17, 1861, ought to have assumed and paid her debt. This opinion is sustained by the highest judicial authority. Governor Kemper said, in a message addressed to the Virginia legislature, March 27, 1874: ‘In view of well settled principles of public law, it is demonstrably true that the United States, by interposing between us and our creditors, and dividing and destroying the original entity of the Commonwealth, became liable for at least so much of her debt as is due to non-resident creditors.’

“This claim is not based upon the simple fact that Virginia was conquered by the Federal Government, or that her territory was divided, or that her organic law has been changed.

“It is based upon the facts that the Federal Government completely destroyed the entity or being of the State; so that there was no State against which the creditors could proceed, or from which they could collect their debt,—that the Federal Government not only destroyed the State, but the property of her citizens upon the faith of which the debt had been contracted, and without which it could not be paid. In other words, the Federal Government having gone between 63 the State and its creditors, and having destroyed both the State and its assets, or means of paying its debts, thereby became responsible to its creditors.

“I do not refer to the expenses of the war, or the losses resulting legitimately from it, but to the total destruction of more than one-half of our property after the war (without any justifiable reason), and the consequent diminution of the residue. In consideration of these facts Virginia ought never to have assumed the debt of the old State; but it ought to have been assumed by the Federal Government.

## Library of Congress

“The claim that the Virginia of to-day is bound to pay the debt of Virginia of 1861 is based upon the assumption that the debt followed the soil, and is a valid obligation upon its occupants. If it had followed the citizens or the personal property of the old State, or both of these combined, it could find but a small remnant of them in existence. Almost the entire personal property of the State has been destroyed, while her citizenship has been changed to a corresponding degree.

“Her lands are almost the only thing that remains. How far the public debts of one generation bind the lands or other property of the succeeding generation, under any circumstances, is a question worthy of serious consideration.

“Without attempting its discussion, I will give a few brief extracts from the writings of one whose wisdom, statesmanship, and patriotism are universally acknowledged, and whose opinion upon any question of State-policy is entitled to the greatest respect.

“In a letter written by Mr. Jefferson to Mr. Madison, which may be found on the 27th to the 32d page of the third volume of ‘The Writings of Thomas Jefferson,’ he says:

““The question whether one generation of man has a right to bind another seems never to have been started either on this side or our side of the water, yet it is a question of such consequence as not only to merit decision, but place, also, among the fundamental principles of every government. The course of reflection in which we are immersed here (Paris) on the elementary principles of society, has presented this question to my mind; and that no such obligation can be transmitted I think very capable of proof.

““. . . I suppose that the received opinion, that the public debts of one generation devolve on the next, has been suggested by our seeing habitually in private life, that he who succeeds to lands is required to pay the debts of his predecessor; without considering that this requisition is municipal only, not moral, flowing from the will of the society, which has found it convenient to appropriate the lands of a descendant on condition of a payment of

## Library of Congress

his debt; but that between society and society, or generation and generation, there is no municipal obligation, no umpire but the law of nature. . . .

“The earth belongs always to the living generation.

“The conclusion, then, is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time.

“ . . . At first blush it may be laughed at as the dream of a theorist, but examination will prove it to be solid and salutary.’

65

“The claim that the public debt of the old State followed the *soil*, and is a valid charge upon its present occupants, under all the circumstances detailed, cannot be sustained upon any right principles.

“But upon the assumption that such was the case, what would be an equitable settlement of it—First, between Virginia and West Virginia; and, secondly, between the States and the bondholders?

“If the debt followed the soil, when the soil was divided the debt ought to have been divided in the same proportions that the soil was. This is too self-evidently correct to need any argument to enforce it. Hence, assuming that the new State of Virginia contains two-thirds of the territory of the old State, it would devolve upon her to settle two-thirds of the debt. No principle of equity requires her to assume the settlement of a greater proportion of the debt than she holds of the territory.

“Official report, as already stated, showed the debt of Virginia of 1861 to be \$31,187,999.32. July 1, 1871, it was \$46,914,208.25. This increase of \$15,726,208.93 was interest that accrued from January 1, 1861, to July 1, 1871, and which, by an act

## Library of Congress

passed in 1866, and the act of March 30, 1871, commonly known as the 'Funding Bill,' was converted into principal. Of this sum \$1,973,074.08 was interest upon interest.

"The advocates of the 'Funding Bill' claim that by the passage of that bill Virginia was relieved of one-third of her debt.

"Hon. J. M. Hudgin, of Caroline, one of the original supporters of that measure, said in a speech delivered in the House of Delegates of 66 Virginia on February 9, 1875, and for which he was warmly congratulated by its friends:

"It does seem to me harsh and unreasonable in those who denounce the Funding Bill and claim superior wisdom and experience in public matters, and who are in fact most responsible for this debt, to ask or expect the abandonment of a contract that has virtually lifted \$15,000,000 of debt from the shoulders of the tax-paying people of this State. I invite the anti-funders to deny this statement.'

"The Richmond *Enquirer*, one of the most zealous advocates of the Funding Bill, said, in its leading editorial of February 7, 1872:

"By this bill each creditor is required to surrender his bonds or certificates of debt to be cancelled, and in place thereof is to receive a new bond bearing six per cent. for two-thirds of his debt. For the other third the State is responsible only for so much as she may receive from West Virginia.

"... The consideration on the part of the creditor is the release of one-third of his debt. For this consideration the State contracts to pay him two-thirds of his original debt, with six per cent. interest (that being the original interest) on the entire two-thirds.'

"The Charlottesville *Chronicle*, another zealous advocate of the Funding Bill, reiterates the same sentiments. In its issue of June 25, 1875, speaking of the one-third for which certificates of indebtedness have been given, it said:

“It means that the State, in its distinctly stated position of trustee, contemplated nothing more than the payment of such sum as she might obtain from West Virginia on a settlement, and 67 the creditors so understood the arrangement. The adjustment was deemed a practical settlement of the question so far as Virginia is concerned, and nobody (we venture to say not even Mr. Massey) believes for a moment that the creditors will ever attempt to hold Virginia responsible for it further than West Virginia may agree to pay. Nobody recognizes it as a part of our debt, or expects it to give any further trouble.’

“This claim (that the Funding Bill reduced the debt of Virginia) is generally, if not universally, urged by its supporters and advocates. Thus the political press has taught, and thus the people have been made to believe.

“ *How Far do Facts Sustain This Claim?*

“The debt of Virginia, as before stated, in January, 1861, was \$31,187,999.32. No one denies that the whole State, as it then existed, was bound for this debt with its accruing interest. One-third of the territory of Virginia, with its taxable property, was taken from her. Now, suppose it to be true (I am sorry it is not) that the remaining two-thirds of the State were fully released by the Funding Bill from every obligation to pay any part of the third for which certificates of indebtedness are given, how would that reduce the debt?

“If the whole of the State were bound for the whole of the debt, how does dividing the State and the debt in equal proportions reduce the amount that either part has to pay? If three rows of corn are to be hoed by three men, I suppose each man will be expected to hoe one row. Now, who would attempt to convince two 68 of these men that their labor would be reduced by discharging one man and abandoning one row? I fear that in the case we are now considering we shall find that while one-third of the laborers have been discharged the amount of labor has been increased—that while the whole debt is saddled upon two-thirds of the State, the debt has been increased fully fifty per cent.

## Library of Congress

“The decision of the Court of Appeals, in the case of Higginbotham against the Commonwealth, settles the principle that if Virginia, as she now exists, is bound for any part of the debt of Virginia as she existed in 1861, she is bound for the whole of it.

“But, as before stated, the advocates of the Funding Bill claim that the passage of that bill by the legislature of Virginia and the acceptance of its terms by bondholders reduced the debt of Virginia by releasing her from one-third of her indebtedness. Two things are necessary to the establishment of this claim. It must first be shown that Virginia of 1871 was bound for the whole debt of Virginia of 1861.

“She surely could not be released from anything for which she was not bound. It must be shown, secondly, that the Funding Bill released the State of Virginia from one-third of the debt that they contend she was bound for before its passage. Can either of these propositions be sustained?

“I think it has been shown that Virginia cannot be equitably charged with more than two-thirds of the debt of the old State, even upon the assumption that this debt followed the soil and became a valid charge upon its occupants.

“Does the Funding Bill release Virginia from 69 all obligations for one-third of the debt of the old State, except so much as she may receive from West Virginia?

“If it were the purpose of the framers of that bill to make a contract with the holders of Virginia bonds by which the present State of Virginia would be released from the payment of one-third of the amount of their bonds, in consideration of her dismemberment, and of the advantages they would secure by the exchange of their old ante-bellum bonds for new ones with tax-receivable coupons, they ought to have done so in language so plain and unambiguous that none could misunderstand its meaning.

“ *Did They Do This?*

“The third section of the Funding Bill reads: ‘Upon the surrender of the old and the acceptance of the new bonds for two-thirds the amount due as provided in the last preceding section, there shall be issued to the owner or owners, for the other one-third of the amount due upon the old bonds, stock, or certificate of indebtedness so surrendered, a certificate bearing the same date as the new bond, setting forth the amount of the bond which is not funded as provided in the last preceding section, and that payment of said amount with interest thereon, at the rate prescribed in the bond surrendered, will be provided for in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia in regard to the public debt of the State of Virginia existing at the time of the dismemberment, and that the State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignees.’

70

“This means nothing more than that the holders of these certificates are to defer their collection until Virginia has reasonable time to ascertain how much (if any) of the debt West Virginia will agree to pay. It does not release Virginia from the payment of one dollar, but leaves her bound for every dollar of it, both principal and interest.

“Whatever portion of the debt of the old State West Virginia pays will be applied to the payment of this third. Whatever she fails to pay will, according to the provisions of the Funding Bill, be demanded of Virginia. In this way, and this way only, ‘payment of said amount with interest thereon at the rate prescribed in the bond surrendered, will be provided for in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia in regard to the public debt of Virginia existing at the time of the dismemberment.’ If West Virginia pays the whole amount of this one-third, Virginia will be relieved of it all. If West Virginia pays but one-half of it, Virginia will be called on for the other half. If West Virginia pays none of it, Virginia will be called upon for the whole amount.



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“The Funding Bill does not provide for the payment of so much of this third as West Virginia agrees to pay, but for the payment of the whole of it in accordance with such settlement as the two States may make—settling the portion of the debt proper to be borne by each State, respectively.

“That this is the proper construction of the Funding Bill is, I think, susceptible of clear proof.

71

“Governor Walker, ‘the father of the Funding Act,’ said, in his message urging its passage:

“It was never intended or contemplated that there should be a division between the two States of the original indebtedness in its original form. Such a transaction would be impracticable, if not impossible. The obvious intent and meaning of all the legislation upon this subject, by each State, is, that whatever amount the State of West Virginia ought to assume should be paid into the treasury of the State of Virginia, to be by her used in the extinguishment of the original debt. The bonds are the bonds of the State of Virginia, not West Virginia; and to the treasury of Virginia does the creditor look for the payment of his debt. This view was incorporated into the legislation of 1866, and resanctioned by the people of this State in the adoption of our present Constitution, the 19th Section of the 10th Article of which declares: “The General Assembly shall provide by law for adjusting with the State of West Virginia the proportion of the public debt of Virginia proper to be borne by the State of Virginia and West Virginia, and shall provide that such sum as shall be received from West Virginia shall be applied to the payment of the public debt of the State.”

“Again, in advance of any settlement, how can it be arbitrarily assumed that one-third of the debt is the proper proportion to be paid by West Virginia? What is the basis of this assumption? . . . Until, however, a final adjustment of this matter is reached, it can only be regarded in the light of a claim or asset of uncertain value, not in any wise affecting our 72 liability for the whole debt. Whatever sum may be eventually realized from this claim, must

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be paid into the treasury of our State and applied to the liquidation of the debt of Virginia the same as other funds appropriated for that purpose. But thus far there have been no satisfactory indications that the State of West Virginia intended to acknowledge herself liable to us for any portion of the public debt.'

"The Richmond *Enquirer* of February 7, 1872, contains this editorial note: 'Read the letter from Sligo from our intelligent correspondent V. That's the way it strikes an outsider. Oh, that the legislature would pause!'

"What does this 'intelligent correspondent from Sligo' say?

"He says: 'The opponents of the Funding Bill say that it contains not only the germ of repudiation, but the full-grown plant itself. None on this side of the Atlantic thus accept it. The State of Virginia agreed by that bill to pay interest on two-thirds of its debt, but it did not repudiate the remaining third. It issued on that third a certificate of indebtedness, bearing interest at six per cent., and to be paid in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia, and the State holds such bonds so far as unfunded, for the holder or his assigns. There is no germ of repudiation there. Whatever West Virginia pays the holder will get, and if it be found on a settlement that West Virginia owes nothing, the State of Virginia will be liable for the whole sum. We do not doubt that West Virginia is liable for some portion of the old debt. Whatever it shall pay, the 73 holders of the certificates of indebtedness shall receive, and the State of Virginia (East) is accountable for the balance. That is my reading of this certificate, and I believe the true meaning of it. I do not consider it a sham, but a reality; and if Virginia be the State I thought when I purchased, I believe the certificate of indebtedness to be as good a security as any bond in the world.'

"Here we see that the 'father of the Funding Act' and English bondholders agree perfectly in their construction of it.

“Examination of the ‘Journal of the House of Delegates of 1871’ must satisfy any fair man that the framers of the Funding Bill never intended to require the holders of the old State bonds to relieve Virginia from the payment of the third for which they gave their certificates of indebtedness. When the bill was under consideration Mr. Turner, of Rappahannock, moved to strike from the section I have quoted the words ‘that the State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignee,’ and to insert in their stead the following: ‘Setting forth also, in the body of said certificate, a proviso in the following words: But the State of Virginia is not, and will not be bound, in any manner or form, for the payment now or at any future time, of this certificate, or any part thereof; but this is without any prejudice to the rights of the holder thereof to demand payment of the same of the State of West Virginia.’ This was a plain and definite proposition, in unmistakable language. If it had been adopted it would have settled beyond doubt, that those who surrendered their old bonds and accepted 74 new ones for two-thirds of their amount thereby relinquished all claim against Virginia for the remaining third. Who can doubt that this proposition would have been agreed to by the framers of the Funding Bill if it had been their purpose to release Virginia from one-third of the then existing debt. This amendment was rejected, and its rejection shows that it was not the purpose of those that rejected it to require the bondholder to relinquish any claim he had, or supposed he had, against Virginia for a single dollar.

“Mr. Daniel moved to add to the third section the following: ‘And it is provided that the funding of two-thirds of the bonds, stocks, and certificates aforesaid, is authorized and granted only upon the condition that the owners of such bonds, stocks, and certificates do release and discharge the State of Virginia from all liability (if any exists) to pay the remaining one-third thereof, until there shall have been a final settlement between the States of Virginia and West Virginia, in regard to the public debt of the State of Virginia existing at the time of its dismemberment.’ This amendment did not, like the former, propose to release the State of Virginia from the unfunded third forever, but only to exempt

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her from its payment until she had a final settlement with West Virginia. But even this proposition was rejected.

“Mr. Daniel then moved to amend the bill by inserting after the word assignees, near the middle of the third section, the following: ‘And it is hereby provided that the certificates authorized by this Section to be issued are intended to be mere certificates of fact, and shall not be 75 construed to be certificates of debt, and shall not be received or receivable by the State of Virginia in discharge of any debt or obligation to said State for which certificates of debt are receivable.’ This proposition was likewise rejected.

“Here were positive and repeated refusals to engraft on the Funding Bill any provision that would discharge the State of Virginia from payment of the unfunded third. How any one, with all the facts before him, can believe the Funding Bill reduced the public debt, or that by its acceptance the bondholder relinquished any claim for any part of his bond, is wholly incomprehensible. Here were three clear and definite propositions made with a view of settling this very question:

“First. That Virginia should not be responsible in any manner or form, or at any time, for the certificates of indebtedness issued for the unfunded third. Yet this was not to prejudice the right of the holder to recover it from *West Virginia*.

“Secondly. That Virginia should be released ‘from all liability, if any exist,’ to pay these certificates until she should have a final settlement with West Virginia.

“Thirdly. That these certificates should ‘not be construed to be certificates of debt.’ That is, against *Virginia*.

“Each and all of these propositions were rejected by the Funders. Their rejection was proof, positive, that it was their purpose not to do the very thing that it is now claimed they did do. Yet there are men who, either from ignorance or design, persist in declaring: ‘The 76 adjustment was deemed a practical settlement of the question so far as Virginia is

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concerned, and nobody believes for a moment that the creditors will ever attempt to hold Virginia responsible for it, further than West Virginia may agree to pay. Nobody regards it as a part of our debt, or expects it to give any further trouble.’— *Charlottesville Chronicle* of June 25th, 1875. The facts already stated sufficiently show the fallacy and absurdity of such declarations; yet I will give one incident more, which conclusively refutes them.

“Hon. J. H. Dooley, one of the members of the last House of Delegates, from the city of Richmond, is a Virginia bondholder, and was secretary of the ‘meeting of the Virginia bondholders,’ which was held in the Senate Chamber on the 10th of November, 1874. It is fair, therefore, to presume that he is well informed as to the expectations and purposes of Virginia bondholders. During the last session of the legislature he offered a bill, which was referred to the Finance Committee, and reported favorably from it, authorizing and instructing the commissioners of the sinking fund ‘to sell the State’s interest in the Richmond, Fredericksburg, and Potomac Railroad Company,’ and to receive in payment for it ‘the principal of the unfunded bonds of the State issued prior to 1871.’

“No provision was made for leaving one-third of the old bonds for West Virginia. That was *bad* enough, but not the *worst*.

“The bill goes on: ‘But the purchaser or purchasers may, at his or their option, pay for the said stock in new funded bonds of the equivalent of the aforementioned unfunded bonds; that is to say, two-thirds in the funded bonds and one-third in West Virginia certificates.’

“What better evidence can be given of the purpose and expectations of the advocates of the Funding Bill? While Virginia is unable to pay four per cent. upon the two-thirds of the debt for which she has given new bonds, a proposition is made by a leading bondholder, and endorsed by the Finance Committee of the Virginia legislature, to pay off these ‘West Virginia certificates’ to the extent of one-third of Virginia’s interest in the Richmond, Fredericksburg, and Potomac Railroad. This was but an entering wedge. Had it proved successful, it would soon have been followed by others of similar character. I confidently

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believe that if the bondholders ever again get control of the Virginia legislature, every dollar of the debt of the old State, with all its accumulated and compounded interest, will be converted into new bonds, with tax-receivable coupons. Then, your legislature, no matter what may be its character, will be compelled to increase taxation sufficiently to pay full interest upon the whole debt of the old State, and to defray expenses of government and public schools. This will amount to virtual confiscation.

“The inexorable logic of facts enforces the conclusion that, whatever may have been the case before the passage of the Funding Bill, Virginia, by its passage, was made responsible for the whole debt of the old State, with all its accumulated and compounded interest. Before we can decide upon the necessary steps for the proper settlement of a debt we must ascertain its amount.

78

“How was the Funding Bill passed? And how was it received by the people? I will answer this by an extract from Governor Kemper's address before the ‘bondholders’ meeting.’ Governor Kemper said: ‘There are those who have always denied the obligation of the Funding Act. They allege that that Act was not only a surprise to the people and passed in contravention of their will, not only that it tied up the hands of the State without the fair consent of the State, but that the circumstances attending its passage were such as ought to avoid it. They allege, not only that many holders of Virginia bonds, including numbers of our own citizens, have been compelled to part with them at a ruinous depreciation, not only that the bonds thus sold are doubtless held by speculators, who obtained them at half or less than half their value, but they allege that the bonds were thus bought up by stock brokers, having peculiar facilities to guide them, as a speculation of which the Funding Bill was the crowning act. They allege that corrupt means were directed by every approachable avenue to effect the passage of the bill, and did effect its passage; that a short time before its passage, and on votes testing its merits in the House of Delegates, the political party of the minority voted, with one exception, against it, and that, an adjournment being had, and the bill coming up soon thereafter on its passage,

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the same party, with perhaps one exception, voted for it, and by their votes effected its passage.'

"What, then, is the present amount of the public debt?

"As already stated, it was on January 1, 1861, 79 \$31,187,999.32. On July 1, 1871, it had increased, by the conversion of interest into principal, to \$46,914,208.25. The Funding Bill authorized the issuing of new bonds for two-thirds of this sum, and certificates of indebtedness for the remaining one-third. But as both of these are '*evidences of debt*,' and both bear interest, they will be considered jointly as constituting the 'public debt.'

"Interest on \$46,914,208.25 from July 1, 1871, to July 1, 1875, at six per cent. per annum, is \$11,259,409.98. About \$4,500,000 of this sum has been paid, leaving about \$6,759,409.98 of unpaid interest that has accrued in four years, making the debt, principal and interest, on July 1, 1875, \$53,673,618.23. During the four years above given the commissioners of the sinking fund purchased bonds to the amount of \$499,630.74, which reduced the principal of the debt by that amount.

"Not knowing the precise time when the various purchases were made, I am not prepared to say when they ceased to be part of the public debt, and have, therefore, calculated interest on the whole amount to July 1, 1875. This is a matter of but little moment, as the bonds held by the commissioners of the sinking fund still bear interest, though they are no longer 'outstanding obligations, or a part of the debt proper of the State.' If, therefore, we desire to know how much revenue would have to be raised to pay the annual interest on the State bonds and certificates of indebtedness, we must add the residue of the sinking fund, which is about \$5,500,000, to the \$46,914,208.25. The whole of this 80 bears interest. So that while the principal of the 'outstanding debt' is a little over \$46,400,000, the amount which is bearing interest is \$52,414,208.25. The annual interest on this sum at six per cent. is \$3,144,852.49. According to the estimate of the Auditor of Public Accounts, the sum of \$1,287,747.50 is necessary to meet the annual current expenses of the State.

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This added to the amount needed to pay full interest on the public debt and the sinking fund, makes \$4,434,599.99, that must be raised annually for State purposes alone. The whole amount of State taxes now collected is \$2,421,945.41. So that, counting for the cost of collecting, we must double the present rates of taxation, or the debt will continue to increase by the accumulation of interest.

“What are Virginia's resources for meeting this obligation?

“In 1861, when the debt was \$31,187,999.32, the taxable property of Virginia was assessed at \$585,099,322.77. This did not include any slaves under twelve years old. The Constitution exempted all slaves under that age from taxation, and fixed the taxable value of all over that age at \$300 each. This was not more than one-half of their average cash value. As every kind of property is now taxed, we cannot understand the resources of Virginia in 1860, as compared with what they are now, unless we take into consideration slaves as well as other property.

“The official record shows that the value of the slaves in Virginia under twelve years old was \$163,556,000. The value of those over that age was, doubtless, greater than the value of those under it. But estimating it to be just the same, 81 we find the value of slaves alone was \$327,112,000. About one-twenty-fifth of this was in West Virginia, leaving the value of slaves in that part of the old State which is now included in Virginia \$314,027,520. Other personal property within the same part of the State was assessed at \$101,636,721.09, and the real estate at \$294,134,470.56—making a total of values in 1860 of \$709,807,711.65.

“The Auditor's report shows that the entire property, in 1873, was assessed at \$336,686,433.23. That is, \$18,217,422.59, less than half as much as was owned in the same counties in 1860.



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"Thus when, in 1860, the value of property was \$709,807,711.65, the public debt was \$31,187,999.32. That is, there was more than \$22 worth of property for each dollar of debt.

"In 1873 the assessed value of property was \$336,684,433.23, and the debt, exclusive of unsettled interest, was \$46,914,208.25. That is, about seven dollars worth of property for each dollar of debt.

"It should be borne in mind that many things are taxed now that were not taxed in 1860, and that property is taxed much higher in proportion to its value now than it was then. So that the difference between the real value of property in 1860 and in 1873 was still greater than these figures show it to have been.

"If the Funding Bill had released Virginia from that portion of the debt for which certificates of indebtedness were issued and from one-third of the unfunded debt, as some claim it did, the debt would, of course, be one-third less than I have shown it to be. The Auditor's report 82 is based upon that assumption. And in a speech made in the legislature last session, upon a subject which did not necessitate inquiry into the amount of the debt, I used his figures, and spoke of the debt as being, in round numbers, about \$30,000,000. Every intelligent reader will readily understand this. We now speak of the debt as it is; not as it is reported upon an unwarrantable assumption.

"Official documents of the Federal Government show that property in Virginia is assessed about fifty per cent. higher, in proportion to its value, than it is in New York, Pennsylvania, and the six New England States, and thirty-five per cent. higher than it is in all the other States of the Union.

"The destruction of more than half our property is not the only loss we have sustained. That which remains is far less valuable than it was. Thousands of acres of land which have been offered for sale, under judicial decrees, remain unsold because they will not bring

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three-fourths of their assessed value, though they are offered upon a credit of one, two, and three years, while their assessment is designed to fix their cash value.

“It may be safely affirmed that the people of Virginia are less able to pay one dollar now than they were to pay three in 1860.

“Can Virginia pay the whole of the debt of 1861, with its accumulated and compounded interest? or even two-thirds of it?

“In the appendix to the last annual message of Governor Kemper we have this extract from official documents: 83

State revenues derived from taxation \$2,421,945.41

Amount of reported county, township, road and local school levies 2,217,538.49

Amount of unreported county, township, road and local school levies, as estimated by the Auditor of Public Accounts 282,461.51

Cost of collection, retained by tax collectors, etc. 172,318.09

Total of taxes paid, under State laws, for one year 5,094,263.50

During the same year the U. S. Government collected in Virginia in the shape of internal revenue taxes 7,318,015.56

And assuming, what is far short of the truth, that the money directly and indirectly drawn from the people of Virginia by U. S. tariff taxation, is in the proportion of the population of the State to that of the whole country, it is shown that Virginia pays, by reason of the national customs laws, the further sum of 5,976,401.95

Total in one year \$18,388,681.01

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“This is about five and a half per cent. upon the entire amount of taxable property of every description in the State. ‘And yet,’ says Governor 84 Kemper, ‘these burthens are annually increasing, and the incomplete returns already received are enough to render it certain that the total of taxes paid by Virginia in the fiscal year just ended will turn out to be larger than for the preceding year.’

“Let it be borne in mind that only one-third of the lands of Virginia are productive, and have to bear not only their own taxes, but the taxes also of the other two-thirds, which are mainly unproductive. Yet the taxes now paid, either directly or indirectly under State and Federal laws, amount to nearly six per cent. upon the whole property, both productive and unproductive.

“Can the people of Virginia bear an increase of taxation? I do not know that I can better answer this question than by quoting a paragraph from Governor Kemper's address before the bondholders' meeting held in the city of Richmond on the 10th of November, 1874. It is as follows:

““Let it be remembered, also, that our people are borne down with an enormous private indebtedness, exceeding, it is estimated, the amount of our large State indebtedness, all of which is being pressed for payment and much of which is due beyond the Commonwealth, and it will be seen that all our resources and energies are being strained to the utmost point of endurance. If these facts are borne in mind, it will be understood why it is that well-authenticated reports are not unfrequently made of farms whose annual production falls short of the amount of their annual taxes, of indispensable farm animals and implements, and lands 85 also being sold for taxes—and all through no want of industry or economy on the part of the farmer. These facts, borne in mind, will teach others what the logic of experienced suffering has taught us, that any material increase of taxation on lands at this time would be virtual confiscation of lands.’

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“Again, in a message addressed to the Legislature on the 27th of March, 1874, the Governor says: ‘The proposition is too obviously true to be argued that taxes on lands cannot now be increased. Such increase would be virtual confiscation of private property. If the State were subjected to such pressure as would enforce immediate compliance with all her undertakings it would result in public bankruptcy, and would prove alike disastrous to debtor and creditor.’

“I think it may be safely affirmed that, so far from the people of Virginia being able to bear an increase of taxation, they are now taxed higher than they ought to be, or than they are able to bear. The agricultural, the manufacturing, the mercantile, the mechanical, and the professional interests, each and all, are suffering and languishing under the almost insupportable burdens they are bearing.

“Yet with the heavy taxes we are paying, so enormously disproportioned to our resources, the public debt is constantly increasing. ‘The increased rate of taxation has fallen short of enabling the government to pay full interest on two-thirds of the original debt, by an average annual deficiency of \$1,062,578.05.’ [See ‘Appendix to Governor's Message,’ p. 25.]

“Hence the debt has been increasing at the annual rate of \$1,062,578.05 by the accumulation 86 of unpaid interest on only two-thirds of the debt. Virginia is bound, by the Funding Bill, for the remaining third, or so much thereof as West Virginia fails to pay. West Virginia refuses to pay *any* part of it. Hence, according to the theory of ‘the last dollar men,’ Virginia must pay the whole. The annual interest upon this third is \$938,284.04. Add this to the \$1,062,578.05, which Governor Kemper says is the ‘average annual deficiency’ upon the interest upon the other two-thirds, and we have an average annual increase of the debt of \$2,000,862.09. That is to say, the heavy taxes which the people of Virginia are now paying are not sufficient to pay the annual interest on the debt by \$2,000,862.09, and the debt is, therefore, with the slight exception given below, becoming that much larger every year. It has been increasing at this rate for more than four years,

except the small diminution which has been made by the purchase of bonds by the commissioners of the sinking fund. The whole amount of these purchases for four years, as reported to the last session of the General Assembly, was \$499,630.74. That is, while the 'outstanding obligations of the State' have been reduced at the average annual rate of only \$124,907.68 by the purchase of State bonds for the use of the 'sinking fund,' the debt has been increased, during the same period, at the average annual rate of nearly two millions of dollars. How long will it require at this rate to pay the debt? No one can fail to see that a continuance of this state of things must result in disaster to both debtor and creditor. What are we to do?

87

"Undeniable facts show that our taxes are not sufficient to pay the accruing interest on the whole debt by more than two millions of dollars! They also show that they are not sufficient to pay the annually accruing interest on two-thirds of the debt, which have been funded, by more than a million of dollars! The Funding Bill pledges the State to pay full interest upon these two-thirds semi-annually. Its friends declare its obligations to be 'sacred'—that every infraction of it wounds the sacred honor of Virginia. They say to the bondholder, substantially: 'You shall have every dollar of your bond according to the Funding Bill contract.' They know this pledge cannot be redeemed without increasing taxes! Yet they say to taxpayers: 'No man must be sent to the Legislature who does not pledge himself beforehand that he will not increase the taxes!' This is the consistency of those who prate of Virginia honor, as though they supposed only themselves to be its possessors! This is practical repudiation of what they declare to be a solemn obligation. It is repudiation in its worst form! Not open, frank, and manly; but covert, deceptive, and cowardly! It is carrying one face to the creditor and another to the debtor! I forewarn you, fellow-citizens, that there is a 'masked battery' behind these pretences! These men know that unless they can make you believe they are opposed to increasing taxes, you will never put them where they can do it! Once give them the power and their tune will be changed, and you will pay for the music! I wish to see a manly course pursued. We should lay before the creditors

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a clear statement of our 88 views as to what we ought to pay and what we are able to pay. Make an equitable settlement with them, and faithfully comply with its terms. But, it is asked: 'Has there not been a final settlement?' There has been a partial settlement, but not a final one. No settlement can be final which satisfies nobody. There is no respectable number of any party, or of all parties combined, who are satisfied with the present status of the debt. This is shown by the overtures that have been made, the meetings that have been held, and the general anxiety for information upon the subject—an anxiety which will continue to manifest itself until it is gratified.

"Is Virginia morally bound for the whole debt of the old State? or for two-thirds of it, without any abatement, even upon the assumption that the debt followed the soil? Before answering this question we must inquire into the cause of her losses, and endeavor to ascertain who is responsible for it.

"But little need be said of the cause of our losses. They resulted either directly or indirectly from the war.

"Who are responsible for the cause which produced these results?

"I do not mean for those *remote* causes—Federal aggressions, Northern interferences, &c., which led to it. But which of the two classes—bondholders and taxpayers—is responsible for the act of secession which made Virginia a battlefield? I think I may safely answer, both are responsible for it; and each one equally so. If secession were right, bondholders and taxpayers share equally the honor of having advocated it. 89 If it were wrong, each was equally blameworthy. If we had succeeded, each class would have shared in the benefits of success in due proportion. If we lost by it, each should bear his due proportion of the loss. There may have been individual exceptions, but as a general rule bondholders are as fully responsible for our present condition as any other class. We know that some who are now the most zealous advocates of bondholders, and who insist upon paying the 'last dollar,' no matter who may be ruined by it, were the most

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blatant secessionists—not only ready to ‘wade in blood,’ but to ‘die in the last ditch’; and were resolved to leave Virginia if she did not secede. If these last-ditch men had entered the first ditch, instead of getting others in and then speculating upon their necessities and the necessities of their families, there would be fewer ‘last-dollar’ men now. Yet I suppose bondholders and taxpayers were equally responsible for the losses sustained, and ought, therefore, to bear their equal proportions of them. Citizens of a State sustain similar relations to each other that members of a business firm do. If it be not positively expressed, there is, at least, a tacit understanding that each shall bear the responsibilities and expenses, share the profits, and sustain the losses of the firm in proportion to his interest in it. The same rule applies to the State. Each shares his due proportion of its benefits, and should bear his due proportion of its losses. This applies only to the transactions of the corporation. No member of it is responsible for, nor can claim any benefit arising from, any individual transaction of any other member 90 of it. Hence, what may be said with regard to the public debt, has neither reference nor application to private debts.

“As citizens of the State, we are joint partners, and each, in proportion to what he has, must contribute to its support, meet its obligations, and share its losses. It would not be equitable for some of the partners to be benefited and others damaged by their joint act. This will be the inevitable result if the ‘last-dollar men’ prevail. It may be illustrated thus: A, B, C, D, and E are citizens of Virginia. A owns \$10,000 worth of State bonds; B, C, D, and E each owns \$5,000 worth of land and \$5,000 worth of negroes. They all advocate secession, and are equally responsible for the results. These results are consequences of their joint act. The result is that B, C, D, and E lose all their negroes outright, and the value of their land is reduced to one-half of what it was before the war. A's \$10,000 of bonds suffer no depreciation, but, by the reduction in the price of lands, their purchasing power is doubled. They will now buy all the land owned by B, C, D, and E, though they would only have bought half of it before the war. Thus, by the joint act of all five—each one of them being equally responsible with the others—four have been totally ruined, while one is

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enabled to purchase twice as much property with his bonds as he could have done before the war. Is this just? Is it right? I have no prejudice against bondholders. I deplore the unfortunate circumstances which deprive them of any part of their bonds; but they must bear their part of the common misfortune. I do not wish them to fare worse 91 than their fellow-citizens. They ought not to desire to fare better.

"We made common cause, and jointly resolved upon secession. We entered the contest together, and bore ourselves through it nobly. Together we staked our all upon the result. That result proved disastrous. Neither class should charge this result upon the other, nor seek to evade its just proportion of responsibility, or loss, by placing an undue proportion of either on the other.

"Our motto should be: *Equal justice to all; special immunities to none.*

"What would be the practical workings of this principle?

"First. It would exclude all interest upon the public debt during the war. It is generally conceded that no interest ought to be charged upon private debts during the war. Various reasons have been assigned for this. I suppose the main reason to be, that private rights were merged in the rights and authority of the State. Men did not belong to themselves. Neither their time, labor, nor property was at their disposal. As, therefore, all private rights and interests of debtors were suspended for four years, it has been thought equitable and right that interest upon indebtedness should be suspended during the same time. I can see no sufficient reason why this rule should not apply to public debts as well as to private. If this view of the subject be right, the taxpayers of Virginia ought not, and, in justice, cannot, be required to pay any interest which accrued upon the public debt during the war, while no interest is allowed upon private debts during the same time.

92

"Secondly. It would require the scaling of State bonds in just the same proportion that other property has been reduced. Bondholders and taxpayers would then fare alike.



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Each would lose in precisely the same proportion. This may be *caviled* at, but cannot be *contemned*. It rests upon the immutable principles of justice. It neither asks, nor concedes, more than is right. A settlement based upon these principles would reflect honor upon both debtor and creditor.

“What I have said thus far upon this point has special reference to Virginia bond-holders.

“Nearly one-half the public debt is owned in those States which composed the ‘Federal Union’ during the war. What would be an equitable settlement between these bondholders and Virginia taxpayers?

“If a creditor should wantonly or wrongfully destroy property belonging to his debtor, I suppose no one would deny that the debtor ought to receive credit on his bond to the amount of damage he had wrongfully sustained at the hands of his creditor. What will be the effect of the application of this perfectly just principle to the present case? A simple statement of facts will suggest the answer. Our Northern creditors were not content with having destroyed the old State and divided her territory, but, without reason or justice, took from us largely more than one-half of our entire property without giving us any compensation whatever for it.

“Are we not, therefore, justly entitled to have the bonds they hold against us credited in 93 at least an equal proportion to the loss we have sustained at their hands?

“I have no desire to awaken or revive sectional prejudices by anything I have said or may say. I wish to bury these in the sea of forgetfulness, and to cultivate feelings of friendship and amity between men of every portion of our common country. I am simply stating facts, which must be taken into consideration if we ever make an equitable settlement of this vexed and complicated question.

“That these creditors should, in view of the well-known facts, raise the cry of dishonor against the taxpayers of Virginia because they are not willing, under these circumstances,

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to increase the burdens they are now unjustly bearing to pay the last dollar of their bonds, while refusing to give them any credit for the property wrongfully taken from them, is a most remarkable case of moral perversity! If there be anything more remarkable, it is that any man who claims to be a Virginian, and boasts and prates of Virginia honor, should join in this cry! Virginians must not only have fallen and degenerated, but have become truly craven if they can tamely submit to such ignominious injustice without raising a manly protest against it. If the very men who are raising and reiterating the cry of dishonor against those who defend the just rights of taxpayers were called on to arbitrate just such a case between other parties, and were perfectly free from interest or prejudice, I have no doubt but they would adopt the same view of the case that has been presented above. These are the only principles upon which a perfectly equitable settlement <sup>94</sup> can be made. Any material departure from them must do injustice to one or the other party. If we ask more than is right, we do injustice to others. If we concede more than is right, we do injustice to ourselves. We should take no position that cannot be vindicated upon perfectly equitable principles.

“There is yet another class of bondholders. A little more than one-fourth of the debt of Virginia of 1861 is owned in Europe. The holders of this part of the debt are not responsible for our losses. They are neither responsible for the war and its legitimate consequences on the one hand, nor for the wanton destruction of our property after the war on the other. I am not apprised, therefore, of any equitable ground upon which we can claim a settlement of that part of the debt which was owned in Europe, *at the close of the war*, at less than its face value. Arguing, therefore, upon the assumption that the debt of 1861 followed the soil of the old State, and is a valid obligation upon its present occupants, it devolves upon us to pay two-thirds of the debt due to European bondholders. We ought not, however, to be under the necessity of even considering this question. Beyond all reasonable doubt the Federal Government is ‘liable for at least so much of the debt as is due to non-resident creditors.’

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"I have endeavored to consider this subject in its various parts upon strictly equitable principles, and to ascertain what adjustments of it would be just and right to all parties concerned.

"The conclusions to which I have arrived, in view of all the facts which ought to be taken into consideration, are: 95

"First. Virginia cannot be equitably required to settle more than two-thirds of the debt of Virginia of 1861.

"Secondly. No interest ought to be allowed on these two-thirds during the four years of the war.

"Thirdly. The bonds held both in Virginia and the Northern States ought to be scaled in full proportion to the destruction of the property of Virginia taxpayers.

"Fourthly. The bonds held by Europeans ought to be paid at their face value by the Federal Government.

"Virginia should in no event pay more than two-thirds of their amount. No interest should be paid on these two-thirds during the war; and the claimant should be required to establish the fact that his bond was owned in Europe at the close of the war.

"I believe a settlement made in accordance with the views and upon the principles set forth would command the respect and approval of all impartial and unprejudiced men the world over.

"The result of so equitable a settlement would be that the present debt of Virginia could not exceed \$15,000,000, and might fall far below that sum.

"It is said 'the wind is tempered to the shorn lamb.' And here we see that the reduction of our ability to pay has been accompanied with a corresponding diminution of our moral

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obligation. The same cause which rendered us unable to pay the whole debt relieved us from all moral obligation to pay it all.

“Such a settlement as I have suggested would be equitable to all parties. Neither the bondholder 96 nor the taxpayer would be placed in either a better or worse condition relatively to the other than he occupied when the debt was created.

“The bondholder would receive neither a greater nor less proportion of his bond than the taxpayer retained of his property.

“Some are so weak-minded, or so blinded by prejudice, as to charge that these views savor of repudiation. It is a source of regret that there are any who either cannot or will not distinguish between an equitable settlement of a debt and its repudiation! I am sorry for such. They lack either common perspicacity or common honesty. In either case they are to be pitied.

“Repudiation is wholly out of the question. It should not be thought of except as the *dernier ressort*. It is the imperative duty of both individuals and States to pay their just debts to the utmost of their ability. Both individuals and States may inquire into the justice of claims which may be brought against them; and they can not be censured for refusing to pay them if they are not just. But when once their justice is established, the obligation to pay is imperative. Nothing short of her own preservation justifies a State in refusing to meet her just obligations. The obligation of self-preservation is paramount with States as well as with individuals. A State may not, for any cause, destroy her own existence. To preserve herself she must protect her citizens. If the individual members of society be properly protected, society will be safe. But if the rights of individuals be disregarded, the society will soon be 97 destroyed. When, therefore, demands upon a State become so unreasonable or exorbitant that compliance with them would crush her citizens, and thus endanger her own life, then, and only then, may she repudiate her just obligations.

"Many who fully concur with the views I have presented oppose agitation of the subject because they see no way of relief.

"'I'll try' has accomplished wonders. 'I cannot' never accomplished anything. None can deny that we are bearing an unjust weight of debt; and a weight much greater than we are able to bear. I have always believed that when the people of Virginia fully understand their rights and duties, they will promptly and firmly maintain the one and perform the other.

"The case is by no means hopeless, though hedged about by difficulties. United and persistent effort will, beyond doubt, bring forth fruit.

"The questions which address themselves to us are: What are we able to do? And what, under all the circumstances, ought we to do? Let us consider these subjects well, decide them wisely, and then firmly and perseveringly adhere to what we believe to be right, both to ourselves and to others.

Very respectfully, " John E. Massey.

"Ash Lawn, Albemarle Co., Va., "Sept. 23, 1875."

I had had many solicitations to publish my views in pamphlet form for general distribution over the State. I did this. When the first edition was exhausted I published a second edition.

I entered the political arena reluctantly, but, 98 when I saw the condition of public affairs, I felt that I ought to try to remedy them so far as one man could, and I wished to be re-elected for that purpose. In the autumn of 1875 I was again elected to the House of Delegates.

99

## CHAPTER VIII "TO THE PEOPLE OF VIRGINIA"

## Library of Congress

Hon. A. H. H. Stuart, one of Virginia's ablest men and an uncompromising Funder, replied to my pamphlet through the *Staunton Spectator*. I rejoined as follows:

“ *To the People of Virginia.*

“ Fellow-citizens: The last mail brought me several copies of the *Staunton Spectator*, containing an address of Hon. A. H. H. Stuart ‘to the people of Augusta County’ upon ‘the State debt question,’ and several letters from prominent citizens of that county, asking me to give my views upon some of the points discussed in that address. As others are as much interested in the subject as those who have written to me upon it, I will respond to these correspondents through the same medium which gave them Mr. Stuart's address.

“I propose to notice only those points of the address which are of general interest, and which are pertinent to a proper understanding of our relation to the ‘State debt,’ and our obligation and ability to pay it.

“Mr. Stuart has presented the bondholders' argument ingeniously and speciously, but his address would, in my opinion, lose nothing of merit if it were less ingenious and more ingenuous. It contains a minute history of the origin of the debt of old Virginia, while the changes LC 100 that have taken place since that debt was contracted receive only such notice as is calculated to divert attention from the real facts of the case. I refer to these changes—the total annihilation of the party that contracted the debt, the destruction of the assets and resources of the old State, and the erection upon the ruins of the old State of two new, separate, and totally different States.

“It is not denied that Virginia of 1860 owed the sum of \$31,187,999.32, nor that she was both morally and legally bound to pay it. The questions we have to decide are, not how the debt of old Virginia was contracted, but, first, to what extent, if any, are we under obligation to pay it; and, secondly, are we able to pay it.

“Mr. Stuart affirms that each of the new States—Virginia and West Virginia—was bound for the whole debt of the old State, but that the Funding Bill divided their responsibility and definitely settled the portion of it which should be paid by Virginia and West Virginia, respectively. He says: ‘The joint obligation of the two States arose out of the old bonds issued before the war; and when the holders of these bonds voluntarily surrendered them, and took new obligations, in lieu of them, by which Virginia bound herself to pay two-thirds of the original debt, and give a certificate, which was a mere evidence of the amount due from West Virginia, the old bonds were annulled, and thereafter had no validity. The case may be illustrated by a familiar example. Suppose A and B are partners in business, A owning two-thirds and B one-third. The firm owes a debt of three thousand dollars to C, which is evidenced by a 101 vote of the partnership. A dissolution takes place, and A takes two-thirds of the assets and B the remaining third. A, however, retains the partnership books. It is obvious that, notwithstanding the dissolution, both partners are responsible to C for the whole debt. But, suppose A, being anxious to get rid of his responsibility for the share of the debt due from B, should go to C, and, after representing to him the fact that B was in possession of one-third of the partnership assets, and was, therefore, the party that was in equity bound to pay one-third of the debt, should propose to C that he should surrender the old note and take, in lieu of it, a new note from A for his two-thirds of the debt, and A's certificate that B's third was still due and unsatisfied. If C should accept this proposition, would any sensible man suppose that the original note that had been surrendered and cancelled was still in force, and that an action could be brought on it? Or, would any person suppose that C could still proceed against A for B's share, notwithstanding the surrender of the old obligation, and the substitution of a new agreement between A and C?’

“The fallacy of this argument is so apparent that one cannot but be surprised that Mr. Stuart failed to see it. His ‘familiar example’ assumes, which is not the fact, that Virginia and West Virginia, doing business together as a firm, dissolved partnership, and divided their assets, Virginia taking and keeping two-thirds, and West Virginia one-third. In such a

case each State ought, clearly, to assume the same proportion of the debts that it held of the assets, but such was not the case.

102

“To change Mr. Stuart's ‘familiar example,’ so as more properly to illustrate the case, let us suppose that the creditor, C, forcibly enters upon the possessions of his debtors, A and B, and illegally and inequitably breaks up the firm, takes one-third of its assets off, and sets B up in business to himself, then demolishes every vestige of the old firm, and robs A and his children of their individual property. Would even Mr. Stuart contend that A and his children and grandchildren were morally bound to apply their hard earnings, the products of their labor, to the payment of C's bond? If he would, I, with nine-tenths of the people of Virginia, would not. I submit to you, fellow-citizens, if this does not more fairly illustrate the case before us than Mr. Stuart's ‘familiar example’ does? A part of the territory and assets of the old State were taken from her without her consent, and, in violation of all right, constituted into a new State. The entity or existence of the old State was totally destroyed, and a military government established upon her ruins. This was not all. More than one-half of the available private property of her citizens was either taken or destroyed. Yet, those that despoiled the fathers demand full payment of their bonds by the toils and labors of the children; and some of our own citizens seem to regard it humiliating and degrading even to question the equity of these demands. Mr. Stuart says, when speaking of the passage of the Funding Bill: ‘It is altogether probable that if our legislators had forgotten that they represent proud-spirited Virginians, and had humbled themselves before her creditors, and, with bowed heads and bated breath, 103 appealed to their charity, more favorable terms might have been obtained.’ That such a bill should ever have been passed by a Virginia legislature is a source of surprise and mortification; but it is some consolation to know that those that were most active in preparing it and ‘lobbying it through’ were *not Virginians*.

“Is Mr. Stuart's version of the Funding Bill correct?



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“He says: ‘I have generally found that those that were most clamorous in denouncing it were most ignorant of its objects, its principles, and its provisions.’ After thus sharply criticising others, he surely should not become liable to a similar criticism. Let us see how the case stands. He claims that the Funding Bill released Virginia from all liability for the unfunded third of the old bonds, or for the certificates issued for that third. I do not admit that Virginia was liable for any part of the old bonds, but shall discuss the subject upon Mr. Stuart's theory.

“He says: ‘Some ignorant people maintain that this proposition was tainted with repudiation, and others affirm that the State of Virginia, notwithstanding the acceptance of the proposition and the surrender of the old bonds, is still liable for the share of the debt due from West Virginia. Both of these assumptions are idle delusions.’

“He presented the same view, but in a different form, in his ‘familiar example’ which I have already quoted.

“Is this position warranted by facts?

“Mr. Stuart starts out with the declaration that ‘both Virginia and West Virginia were 104 bound for the whole of it’—the old debt, before the passing of the Funding Bill. He then assumes that the bondholder that accepted the terms of that bill released Virginia thereby from all liability for the unfunded third of his old bonds, and received ‘a certificate which was a mere evidence of the amount due from West Virginia, the old bonds were annulled, and thereafter had no validity.’ He asks: ‘Would any sensible man suppose that the original note, which had been surrendered and cancelled, was still in force, and that an action could be brought on it?’

“I should like to ask Mr. Stuart, who I know *is* a sensible man, are those old bonds really cancelled as to their unfunded third? If so, why is it ‘that the State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignees, of the certificate that

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certifies the amount still due upon them? Upon what would he bring an action or 'suit against West Virginia in the Supreme Court of the United States (as he says may be done) to recover her fair proportion of the debt,' if not upon these old bonds? And if Virginia may sue West Virginia upon those old bonds, may not any other State, to which their owners may assign them, sue *Virginia* upon them? These bondholders have certificates that the 'State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignees' of said certificates.

"I deny that the Funding Bill released Virginia from liability for the unfunded third of the old bonds, or that those who passed it intended to release her.

105

"They bound Virginia separately and singly for two-thirds of the old bonds, and left her bound, jointly with West Virginia, for the other third.

"The third section of the Funding Bill reads: 'Upon the surrender of the old and the acceptance of the new bonds for two-thirds of the amount due as provided in the last preceding section, there shall be issued to the owner or owners, for the other one-third of the amount due upon the old bonds, stock, or certificate of indebtedness so surrendered, a certificate bearing the same date as the new bond, setting forth the amount of the bond which is not funded as provided in the last preceding section, and that payment of said amount with interest thereon, at the rate prescribed in the bond surrendered, will be provided for in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia in regard to the public debt of the State of Virginia existing at the time of the dismemberment, and that the State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignees.'

"This means nothing more than that the holders of these certificates are to defer their collection until Virginia has reasonable time to ascertain how much (if any) of the debt

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West Virginia will agree to pay. It does not release Virginia from the payment of one dollar, but leaves her bound for every dollar of it, both principal and interest.

“Whatever portion of the debt of the old State West Virginia pays will be applied to the payment of this third. Whatever she fails to 106 pay will, according to the provisions of the Funding Bill, be demanded of Virginia. In this way, and this way only, ‘payment of said amount with interest thereon at the rate prescribed in the bond surrendered, will be provided for in accordance with such settlement as shall hereafter be had between the States of Virginia and West Virginia in regard to the public debt of Virginia existing at the time of the dismemberment.’ If West Virginia pays the whole amount of this one-third, Virginia will be relieved of it all. If West Virginia pays but one-half of it, Virginia will be called on for the other half. If West Virginia pays none of it, Virginia will be called upon for the whole amount.

“The Funding Bill does not provide for the payment of so much of this third as West Virginia agrees to pay, but for the payment of the whole of it in accordance with such settlement as the two States may make—settling the portion of the debt proper to be borne by each State respectively.

“That those who passed the Funding Bill did not intend to release Virginia from her liability for the unfunded third of the old bonds is shown by their positive and repeated refusals to do so.

“When the bill was under consideration a motion was made to strike from the section I have quoted the words ‘that the State of Virginia holds said bonds, so far as unfunded, in trust for the holder or his assignee,’ and to insert, in their stead, the following: ‘Setting forth also, in the body of said certificate, a proviso in the following words: ‘But the State of Virginia is not, and will not be bound, in any 107 manner or form, for the payment, now or at any future time, of this certificate, or any part thereof; but this is without any prejudice to the rights of the holder thereof to demand payment of the same of the State

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of West Virginia.' This was a plain and definite proposition in unmistakable language. If it had been adopted it would have settled, beyond doubt, that those that surrendered their old bonds and accepted new ones for two-thirds of their amount, thereby relinquished all claim against Virginia for the remaining third. Who can doubt that this proposition would have been agreed to by the framers of the Funding Bill if it had been their purpose to release Virginia from all liability for the unfunded third of the old bonds? This amendment was rejected, and its rejection shows that it was not the purpose of those that rejected it to require the bondholder to relinquish any claim he had, or supposed he had, against Virginia for a single dollar.

"It was then moved to amend the bill by inserting after the word assignees, near the middle of the third section, the following: 'And it is hereby provided that the certificates authorized by this section to be issued are intended to be mere certificates of fact, and shall not be construed to be certificates of debt, and shall not be received or receivable by the State of Virginia in discharge of any debt or obligation to said State for which certificates of debt are receivable.' This proposition was likewise rejected.

"It was then moved to add to the end of the third section the following: 'And it is provided that the funding of two-thirds of the bonds, stocks, and certificates aforesaid, is authorized 108 and granted only upon the condition that the owners of such bonds, stocks, and certificates do release and discharge the State of Virginia from all liability (if any exists) to pay the remaining one-third thereof, until there shall have been a final settlement between the States of Virginia and West Virginia, in regard to the public debt of the State of Virginia existing at the time of its dismemberment.' This amendment did not, like the former, propose to release the State of Virginia from the unfunded third forever, but only to exempt her from its payment until she had a final settlement with West Virginia. But even this proposition was rejected.

"Here were positive and repeated refusals to engraft on the Funding Bill any provision that would discharge the State of Virginia from liability for the unfunded third. How any one,

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with all the facts before him, can believe the Funding Bill reduced the public debt, or that by its acceptance the bondholder relinquished any claim for any part of his bond, is wholly incomprehensible. Here were three Clear and definite propositions made with a view of settling this very question:

“First. That Virginia should not be responsible in any manner or form, or at any time, for the certificates of indebtedness issued for the unfunded third. Yet this was not to prejudice the right of the holder to recover it from West Virginia.

“Second. That these certificates should ‘not be construed to be certificates of debt.’ That is, against Virginia.

“Third. That Virginia should be released 109 ‘from all liability, if any exist,’ to pay these certificates until she should have a final settlement with West Virginia.

“The rejection of these propositions was positive proof that the framers of the Funding Bill never intended to do the very thing it is now claimed they did do.

“There must be others even more ignorant of the ‘objects, principles, and purposes’ of the Funding Bill than those that are most clamorous in denouncing it.

“There is another feature of this subject which must be noticed. Bear in mind that the advocates of the Funding Bill affirm that Virginia was bound for the full amount of the bonds given by the old State before her dismemberment, but that by the acceptance of the provisions of that bill she was released from all liability for one-third of the old bonds.

“If this be a correct view of the subject, then those bondholders that have never accepted the provisions of the Funding Bill and surrendered their old bonds, have not released Virginia from her liability for any part of their bonds, and she, according to Mr. Stuart's theory, is still bound for their full amount. Now, about \$9,000,000 of the debt of old Virginia are still in the original bonds, their holders never having accepted the provisions of the

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Funding Bill. Yet, Mr. Stuart, who says 'of an equitable adjustment of the public debt,' 'I do not know exactly what is meant by this language,' strikes off one-third of this \$9,000,000, and reduces the State debt by that amount, just as though the whole had been funded. Does he not undertake to make 'an equitable adjustment' in this matter? 110 Does he intend to pay those old bonds, for the whole amount of which he says Virginia is bound? If so, why does he strike off one-third of their amount when he states the amount of the State debt? Has he determined not to pay this one-third of those bonds? If so, he must pardon me for saying to him in his own language: 'I must be pardoned for saying that, in my judgment, there is a very narrow line of distinction between repudiation of a debt, and a determination not to pay it! It sounds to me very much like my friend Major Sutherlin's distinction between a horse race and a trial of speed between two blooded horses!'

"I am not advocating the payment of this rejected third of these old bonds, or of the unfunded third of those that have been surrendered. I do not believe we are under any obligation whatever to pay either. I am discussing the subject upon Mr. Stuart's theory. According to his theory, refusal to pay any part of these bonds is virtual repudiation.

"I claim that Virginia may, without in the slightest degree tarnishing her bright escutcheon, declare that she is neither legally, equitably, nor morally bound for this one-third of the debt of old Virginia, and that, therefore, she will not pay it.

"I believe we may, with equal propriety, consider all the circumstances through which we have passed, and under which we are called on to pay the other two-thirds of this debt; and then honestly decide for ourselves, according to the immutable principles of justice, how much, if any, of this debt we are equitably bound to pay; and then manfully stand by what we believe 111 to be just and right to ourselves and to all others.

"But, Mr. Stuart reminds us that the Supreme Court of Appeals of Virginia has decided that the Funding Bill is a binding and irrevocable contract, and that any readjustment of the 'State debt' is, therefore, impossible. I am aware of this decision; but I am also aware that

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it was not rendered by a full court; nor concurred in by all the judges that sat on it; and I am further aware that many of the ablest lawyers in Virginia concur in the views of Judge Staples, who dissented from the opinion of a majority of the court that decided the case.

“There are, undeniably, serious difficulties in the way, but if we are true to ourselves, and select an executive and a legislature that will fairly and faithfully reflect the sentiments of what I believe to be a large majority of the people of Virginia, these difficulties may be surmounted without either branch of the government encroaching upon the functions of the other.

“What is the present amount of the ‘State debt’?

“Careful examination, two years ago, satisfied me that the whole debt, funded and unfunded, then due, including principal and interest, amounted to more than fifty-three millions of dollars. Since that time it has increased, as nearly as I can approximate it, by the accumulation of interest in excess of what has been paid on account of interest, to about fifty-six and a half millions. If we deduct one-third of this, as West Virginia's portion, it still leaves the sum of thirty-seven and a half millions of 112 dollars as Virginia's portion. She is also bound, as guarantor of bonds of the Chesapeake and Ohio Canal Company, for \$300,000, with interest thereon from 1864. Thus, while official reports represent a slight decrease of the principal of the debt, by the operations of the sinking fund, the debt is, in reality, largely increasing by the accumulation of interest. Nor is this all.

“To pay interest on this debt and meet the current expenses of the government \$36,000 have been borrowed from the Miller fund, \$200,000 from banks, and \$382,732.26 of the public free school funds have been used. All these sums, with their accruing interest, except \$100,000 paid to banks, are yet unpaid.

“When at this rate will the debt be paid?

"In a pamphlet published two years ago, I undertook to show that the current expenses of the government could not be met, and full interest paid on the two-thirds of the debt, that was claimed to be Virginia's portion, without largely increasing taxes; that the people were in no condition to bear such an increase, and, consequently, that there must be a different adjustment of the debt. My position was stoutly controverted, and the people were assured that, without any increase of taxes, the increasing resources of the State would soon enable her to meet all her current expenses and pay full interest upon her entire debt.

"We have seen that instead of this promise being fulfilled that my position has been fully vindicated.

"Have Virginia's resources increased in the same ratio that her debt has?

113

"The assessed value of the taxable property of the State in 1874 was \$336,684,433.23. It is now \$317,710,852.75. Thus we see that the assessed value of the taxable property of Virginia has decreased to the amount of \$18,973,580.48 since 1874, while the indebtedness has increased fully three millions of dollars.

"What is to be done?

"Mr. Stuart tells you that he was elected to the legislature four years ago 'with especial reference to the financial difficulties of the State,' and that he 'was designated as chairman of the Committee of Finance.' He held this position for three sessions; and I can bear testimony to the ability and fidelity with which he filled it. His great ingenuity was taxed to its utmost capacity to find new subjects of taxation and get more money from the people. Yet, under his able leadership, the State has been unable to make the necessary appropriations to her public institutions; hundreds of poor unfortunate lunatics are now confined in the jails of the Commonwealth for the want of adequate accommodations



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in our asylums; the debt has been regularly increasing and the resources of the State decreasing, while the people have been literally groaning under the almost insupportable burdens of taxation they have had to bear.

“What are the prospects for the future? Mr. Stuart tells you the ‘tax on the consumption of ardent spirits, it is believed, will add several hundred thousand dollars to the revenue now derived from that source.’

“This is an untried experiment and many believe its friends are doomed to signal disappointment. Should it meet their expectations and materially increase the revenue, the next step will be a corresponding reduction of taxable property. Many who supported the measure did so in the interest of the taxpayer and not of the bondholder.

“The expenses of the government doubtless will, and ought to be, lessened under the operations of the late amendments to the Constitution. But the people of Virginia are entitled to, and ought to demand, a corresponding reduction of their taxes.

“They are now paying annually in the shape of State, county, district, and Federal taxes, nearly eighteen and a half million dollars. This is nearly six per cent. of the assessed value of the taxable property of the State. No people can bear such a drain long without being reduced to poverty.

“Fellow-citizens, there is virtue and heroism in patiently bearing evils that we cannot help, but it is unmanly to submit to injustice when the remedy for it is in our own hands. You are not only suffering injustice yourselves, but your inactivity may transmit it to your children and grandchildren. The remedy is in your hands. Remember, peace has her victories no less than war. You may, if you will, achieve a victory at the approaching State election, which you and your children may look back to with pride and pleasure. Will you do it? Let each man determine to do his part, and victory is certain.

“Very respectfully, “Your fellow-citizen, “ John E. Massey.

"Ash Lawn, Va., "June 27, 1877."

115

Hon. R. M. T. Hunter wrote an article for the Richmond *Whig*, in which he showed the necessity either of a compromise of the State debt or of a large increase of the rate of taxation. The increase of taxation he did not think the taxpayers would, or could, bear. The comments of the *Whig* on Mr. Hunter's letter caused me to reply to it as follows:

"Mr. Editor: My attention has just been called to your editorial and Hon. R. M. T. Hunter's letter in the *Whig* of the 15th instant, and with your permission, I will say a few words with reference to each.

"Your editorial puts an entirely new phase upon the passage, purpose, and effect of the Funding Bill. The views you advance are entirely new to many of your readers. You say: 'This act (the Funding Bill) upon the part of the State was an arbitrary one. She said to the helpless creditor, take the bond offered for your debt, reduced one-third, and the interest will be paid punctually; if not, you shall be paid nothing. As judge and jury, the State determined the case. The creditor had no option but to accept the terms or to retain the repudiated original bond.'

"Your readers will be surprised to learn that the Funding Bill was passed in the interest of the State, and will be anxious to know when and how you made this discovery. They have hitherto believed it was conceived, prepared, and passed in the interest of the bondholder. This belief has been so long and so firmly held that it will require some evidence to the contrary to change it. Its passage was not only a surprise 116 but a grief to the people of Virginia, and by almost unprecedented majorities they sent men to the next legislature instructed to repeal it.

## Library of Congress

"You say: 'The General Assembly has seen proper to act, and has substantially declared, by a solemnly enacted law, that one-third of the bonded debt of the State created prior to the war she would not pay.'

"If you are right in this, then the General Assembly of Virginia that passed the Funding Bill repudiated directly one-third of the public debt, and, constructively, all of the original bonds that were not exchanged for new bonds for two-thirds of their amounts.

"If this be so, why were certificates of indebtedness issued by the State for this repudiated third? Why are those certificates still on the market as 'Virginia deferred'? and why are two-thirds of those 'repudiated original bonds' still estimated as part of the present State debt? Your complaint of the inequality existing between the holders of different kinds of bonds, and the injustice of allowing the holders of one class to collect the interest due on theirs, while the holders of other classes get no interest on theirs, is just. But, I submit, the responsibility for this wrong and injustice rests upon those that committed it in the passage of the Funding Bill, and not upon those that arrested its further ruinous operations. You suggest taxing 'whiskey and dogs' as a means of raising sufficient revenue to pay interest on the State debt. I would, if in my power, tax whiskey out of existence. As this cannot be done, then bell it and punch it wherever it appears, either openly or in its dark caverns. But it must be poor comfort to the bondholders to be told that they must rely upon 'whiskey and dogs' for the payment of their bonds. It is virtually saying to them, which is really the case, 'The present rate of taxation upon the property of the State will never pay your bonds, and no greater rate of taxation can be borne or will be imposed; and unless you make a fair compromise you must look to whiskey and dogs for your money.' A beautiful alternative!

"Mr. Hunter, one of Virginia's ablest statesmen and greatest financiers, having studied the subject in all its bearings and having viewed it from every standpoint, proposes to meet it squarely and fairly, and to remedy the evil, not by merely treating the developments—the effects of the disease—but by eradicating the disease itself; not by removing the evil fruit

from the tree, but by plucking up its roots; not by glossing over and hiding from view the facts as they exist, but by a frank exposition of them, and a manly course in meeting them.

“Mr. Hunter's letter is frank, clear, able, and statesmanlike. He has entitled himself to the gratitude of the people of Virginia by writing it, and the General Assembly will entitle itself to their gratitude by heartily co-operating with him in his noble purposes and efforts.

“Very respectfully, “ John E. Massey. ”

118

### CHAPTER IX GOVERNOR PIERPONT'S VIEWS

The following letter from Ex-Governor Pierpont, of West Virginia, states so graphically the condition of Virginia before the war, the damage she suffered by the war, and her impoverished condition after the war; and reasons so logically about the relative conditions and reciprocal duties of bondholders and non-bondholders, that it makes a valuable contribution to the history of the war and reconstruction:

“To the Editor of the *Whig*: It is the design of this article to present some views on the relations of Virginia, West Virginia, and the Government of the United States, to the old State debt of Virginia. The views presented will be based on the facts of history and conclusions drawn, without intending harshly to reflect on anybody, hoping that it may lead to a better understanding of the questions involved.

“In 1860 Virginia was a happy, prosperous Commonwealth; rich in land, agricultural improvements and products, in Slaves and internal improvements, in her stocks, her bonds, banks, and money and commerce, and the undeveloped resources of the State; proud of her honorable traditions and of the history of her great men. All these constituted the basis on which credit was given the State in loans of money, for which her bonds were issued; and 119 but for the destruction of her material interests, no question would ever have been raised as to the payment of interest and principal of the State bonds.

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"But the evil hour came. Her people listened to strange counsels. An extra session of the legislature was called; it called a State convention; the convention passed an ordinance of secession on the 17th of April, 1861; on the 23d of the same month, the convention ratified the Constitution of the Confederate States, and on the 7th of May, 1861, the Congress of the Confederate States passed an act admitting the Commonwealth of Virginia as one of the Confederate States of America. Her people were organized for military conflict with the army of the Union before the fourth Thursday in May, 1861, when the ordinance of secession was to be voted upon by the people of the State.

"The recollection of these events appears like a myth. But it was a solemn reality to the State. The armies of the two contending sections of the nation met on battle-fields within her territory. For four years these armies marched and countermarched, and fought within her boundaries, until the resources of the two sections were nearly exhausted. In this conflict the greater part of the wealth of the State was destroyed. Fences and forests were swept away. Live stock of every kind was consumed or driven away. Seventy-five grist mills with their contents, and two thousand barns with wheat and agricultural implements, were made food for the devouring flames in a single campaign. Two hundred and fifty million dollars' worth of slaves were emancipated. Millions of 120 bank stock and bank paper, millions of railroad stocks, all became worthless. Little was left of her railroads but the road-beds. The crowning loss was the commercial portion of her metropolitan city, which contained most of the provisions of the State, left at the time. So great had been the drain on the living of the people, and the destruction of property, that but for fortuitous circumstances, famine and pestilence must have followed in the track of the war. Add to this, thousands of men in the bloom of youth, and prime of manhood, had fallen on the battle-fields, or in hospitals, or were wounded for life. This was war in all its realities. It came suddenly and unexpectedly, as most wars do. Why it came I leave to the casuist. It is not my purpose to censure anybody. War is an incident to humanity, as much so as measles and small-pox.

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“At the commencement of the war, or at the close, it has been stated that eighty per cent. of the State bonds were held in Virginia. All the people in the bounds of the State, as it now is, with singular unanimity, engaged in the war of secession, or rebellion, with but few exceptions. Bondholders and non-bondholders pledged to each other their lives and fortunes for the success of the undertaking. The enterprise failed, but in its prosecution all the losses occurred to the people to which reference has been made. At the close of the war, in 1865, the bondholder did not think of demanding interest or principal, for the simple reason, that from the impoverished condition of the State, he knew that it was impossible for the people to pay. In process of time he came, stealthily, still knowing the inability of the people to pay the interest, and asked that it might be funded into a new bond. The answer should have been, ‘Contribute to our losses and we will pay your bond. If not, reduce your bond in proportion to our losses and we will pay the residue, if any.’ This would have been simply an equitable demand for equitable contribution for losses, in a common cause engaged in by bondholders and people.

“The bondholder points to the Federal and State Constitutions in regard to the obligation of contracts; the people can point to the same Constitutions guaranteeing to them their legal and equitable rights to all the property which was destroyed. The right of the owner of the grist mill that was burnt in the prosecution of the war was just as clear and indisputable as the right of the holder of a Virginia bond was to his bond.

“Further, by an amendment of the Constitution of the United States, it is provided that no compensation shall be made for any slave emancipated, or for any liability incurred in support of the rebellion. The Congress of the United States has, also, decided that no citizen, loyal or disloyal, has any claim on the United States for property destroyed in the prosecution of the war.

“Virginia should never have agreed to pay one cent on the debt, until the bondholders had agreed to a fair and equitable contribution to be deducted from his bond, in proportion to

the losses of taxable property, sustained by the people. There is no repudiation about this; it simply proposes equitable contribution.

122

“As to the share West Virginia is to pay: without going into details, it may be said that there is a prevalent opinion among the best informed men in the State that in equity West Virginia owes but little, if any, on the old State debt. That about all the money, for which the bonds were given, was expended in what is now the bounds of Virginia. But West Virginia has not ability to pay on the State debt. Her taxes are about the same on the dollar as in Virginia, and the people feel this a burden. They are not in condition to pay heavy taxes. All the land in the State at the time of the division was taxed at less than \$100,000,000, and now after a quarter of a century, with three or four valuations, it has not increased 25 per cent. More than one-half of the land in the State is valued at about one dollar and sixty cents per acre; one-sixth of the State pays four-sevenths of the taxes. She has one city of 30,000 people. Her capital has a little over 4000, two other towns of over 5000 each, and the residue villages of from 100 to 2000 or 3000 inhabitants. There may be one blast furnace outside of Wheeling in operation. All the others are in or near Wheeling, and there they get their crude ore, coke, and limestone from other States. There are some coal mines in the State, but most of them are owned by absentees; and whatever is made at the mines is taken out of the State to be taxed. There are large forests of timber in the State; of these, those that are convenient to railroads or navigable streams are being cut off and carried out of the State to be manufactured, but this does not increase the taxable value of the land. A large amount of the commercial 123 and manufacturing wealth of the State is in the city of Wheeling. A heavy increase in taxes would tend to drive the plants there across the Ohio River. A gentleman of high intelligence, and who has had opportunity of knowing, and has embraced that opportunity, stated in the presence of the writer a short time since, that upon an equitable settlement between the two States, taking into account receipts and disbursements, West Virginia would not owe one cent, and he thought the balance would be against the old State. This

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is a general impression among the people. Would West Virginia submit the matter to arbitration? Certainly not. No prudent man would submit a matter of demand to arbitration, when he was satisfied that he did not owe anything, and run the risk of being adjudged to pay a large sum by the conservatism, if nothing worse, of the arbitrators. This is about the sentiment of West Virginia on the subject, on this aspect of the case.

“In fact, the relation of West Virginia to the State debt is a political relation. It has no legal or equitable aspect, as if the division had taken place in time of peace, as a civil transaction. ‘The restored government of Virginia’ was recognized by the President of the United States as the legal State government on the 25th of June, 1861. At the same time the President called upon the Governor for volunteer troops for the United States Army, requesting him to commission the company and field (regimental) officers. Under this and subsequent calls, the counties of West Virginia furnished nearly 35,000 troops to the Union Army. These 124 were as brave soldiers as ever trod a battle-field. They fought in nearly every battle from Philippi to Appomattox. In number and valor, too, they were equal to nearly one-half General Lee's army at Antietam, and equal to his army at Appomattox. In addition to this, the counties of West Virginia paid hundreds of thousands of dollars of bounty to her soldiers.

“Adopting the idea of West Virginia's liability for the State debt: If the President of the United States had addressed the army of West Virginia when it was mustered out of the service, it would have been after this style, if he had adhered to facts:

“‘Soldiers, when the capital of the United States was invaded, and the integrity of this great nation hung in doubt, I called upon you for assistance. I thank you for the promptness with which you responded, but more for the gallant bravery you displayed on so many battle-fields. I regret that so many of your brave comrades are left dead there or are wounded for life.



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“Since I made the first call for your assistance, I found it necessary to emancipate all the slaves in Virginia. I also had your valuable aid in destroying a large portion of material wealth of the people of the State. This I found necessary to cut off the supplies of the enemy that the war might be brought to a close. I am aware that many of you and your friends have lost heavily of your property by the war. You must bear your losses. Congress will not make an appropriation to reimburse you for your losses; that would be contrary to the laws of nations. I further regret to inform you that by the emancipation of the slaves and the further destruction of property, the people of Virginia have become impoverished. The State owes a large debt, and I am informed that about \$26,000,000 in bonds of the State are held by the people of Virginia who engaged in bringing on and sustaining this war of rebellion. I am perfectly aware that if the slaves had not been emancipated and other property destroyed, the people could have easily paid that debt, but it is impossible for them to pay it now. You must, like good citizens, go home and go to work, make money, pay the interest on the bonds, and your children must pay the principal when it becomes due. Again I thank you, soldiers. God bless you.’

“This is an unvarnished presentation of the case. The Wall Street syndicate have, it is said, near \$15,000,000 of West Virginia bonds, or certificates, as they are called, for which they paid five or six cents on the dollar. It is said they have some whipper-snappers running through the State, trying to corrupt legislators to give them encouragement to boom these certificates. If any portion of these certificates are ever paid, the United States must pay them, or West Virginia will have to alter her motto: ‘Liberty always resides in the mountains.’

“ F. H. Pierpont.

“Fairmont, W. Va., Feb. 7, 1887.”

Observe that Ex-Governor Pierpont says that it was stated that at the close of the war eighty per cent. of the State bonds were held in Virginia. Observe, too, that it is said the

Wall Street syndicate paid five or six cents on the dollar for the \$15,000,000 of West Virginia bonds.

126

## CHAPTER X WAS THE FUNDING BILL IRREPEALABLE?

The advocates of the Funding Bill claimed that it constituted an irrepealable contract. This claim was sustained by a majority of the Court of Appeals, and I was sharply criticised by them for having “the presumption to set himself [myself] up in opposition to the highest court in Virginia.”

I denied the right, or power, of one legislature to deprive future legislatures of their equal constitutional prerogatives, and so to dispose of the future revenues of the State as to place them beyond the control of subsequent legislatures. I was afterward shown a letter from Mr. Jefferson to Mr. Madison that left me no doubt of the correctness of my position.

Some years after the publication of my pamphlet “Debts and Taxes,” the following letter was written by Judge Hughes of the Federal Court. I gave it in full, as it not only sustained my position, but is a part of the history of the times:

“To the Editor of the Staunton *Virginia*:

“Dear Sir: You ask whether I am correctly classed with the supporters of the Funding Act of 1871. I will answer with as much frankness as emphasis:

“Neither in its origin, nor at any period of its history, nor now, have I approved, or do I  
127 approve, of that measure. I refer particularly to that provision of the act by which the taxes of the State are appropriated for thirty years in advance to the payment of a deferred class of coupons, though their payment shall defeat other obligations ranked by the State Constitution as of equally high or of higher dignity. As early as the days of Magna Charta and down through succeeding centuries to the present time, notably in their war with the

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Stuarts, the English people have asserted the principle of the absolute power of each Parliament over the revenues raised by taxation during its own term of existence. That right of Parliament has been a fundamental canon of the Constitutional law of England at all times; and is a cardinal principle of our American policy.

“The coupon feature of the Funding Act is repugnant to the cardinal doctrine, on this subject, which has been held by the Constitutional statesmen of England and America, since the principles of popular liberty have had advocates, defenders, or martyrs, in either country. Whether any legislature of Virginia shall deem itself bound by it, is only a moral question for its own decision, and not a legal question for the decision of any court whatever. So far from approving the Funding Act, I have regarded it as the chief cause of the financial embarrassments of the State. The tax-gathering coupon—the cut-worm of the revenues, appropriating them each year to itself with impertinent disdain of legislative authority—is a device of modern ingenuity to subject the legislature, in the exercise of its highest constitutional function, to the power of the judiciary; and is at war with the 128 cherished English and American principle of the mutual independence of the legislative, executive, and judicial departments of government. Any measure which brings those jurisdictions into conflict, and thrusts a court into real or colorable usurpation, is vicious in the last degree.

“The right of each legislature to control the revenues of the State during the period of its service cannot, in my opinion, be taken away, either by prerogative, or contract, or any other power or device, legislative, executive, or judicial. The revenues of a State derived from taxation cannot be entailed by any legislature. They are a trust fund to be administered by each legislature on its own responsibility to the people. It is not competent for a preceding body to control a succeeding one by any coercive pre-enactment; or in any other manner to impeach its fidelity to the public obligations.

“The attempt of a legislature to obstruct the power of its successors over the revenues for a single year, or for thirty years in advance, is, in my judgment, violently *ultra vires*,

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and essentially null and void; nor can any action of such a body, designed to effect such a purpose, be validated by any court whatever in the land. No State, it is true, has power by its legislature, or other organism, to impair the obligations of contracts which are legal and constitutional; but any stipulation of a legislature which it has no constitutional power to make, and which is in derogation of the equal constitutional powers of its successors, is not a contract, and does not bind its successors. The other party to such a stipulation is bound to know that such a body 129 acts *ultra vires*. That a legislature may ordain a contract in regard to other subjects, I do not deny, but I do deny that any one legislature can ‘*contract*’ away the prerogative control of succeeding legislatures over the levying of taxes and the appropriation of revenues. The power of each legislature over the two subjects of *taxes* and *revenues* is exclusive, absolute, sovereign, sacred. Whether such a stipulation shall be performed, is a legislative, not a judicial, question. Each legislature is the sole judge for itself of the obligation of carrying out such a stipulation. The legislature of Virginia is, virtually, the government of Virginia; and its power would be destroyed if that sacred canon of constitutional liberty, which gives to the immediate representative legislature of the people the control of the revenues it raises by the taxation which it imposes upon them, were overthrown.

“Appropriation bills are legislative prerogatives, no less essentially, distinctly, and exclusively than tax bills; and what would be thought of a court which should issue its *mandamus* commanding a legislature to levy a tax to meet a public obligation imposed through the subterfuge of *contract*? Nor can it constitutionally intercept the revenues from legislative control when collected. I am as much opposed to such a thing as I am to Forcible Readjustment and base money. Whether any good can come to the State from opposing it now, is another question quite aside from that of its alleged inviolability, which I have been discussing.

“Yours sincerely, “ R. W. Hughes.

“Norfolk, Virginia.”

The same position was sustained by the following decision rendered by Judge Robertson, President of the Court of Appeals of Virginia:

“No State shall pass any law impairing the obligation of contracts.”—Con. United States.

In delivering opinion of court (in *Burroughs vs. Peyton*) Judge Robertson says:

“By the term contracts, in that clause, is not meant to include the rights and interests growing out of the measures of that public policy. Acts in reference to such measures are to be regarded as rather in the nature of legislation than of compact, and although rights and interests may have been acquired by them, those rights and interests cannot be considered as violated by subsequent legislative changes which may destroy them.”

## **CHAPTER XI THE MASSEY SCHOOL BILL**

There were three candidates for nomination before the gubernatorial convention of 1877—Gen. William Mahone, Col. F. W. M. Holliday, and Maj. John W. Daniel.

After frequent ballotings General Mahone's friends despaired of nominating him, and went over solidly to the support of Colonel Holliday, who was nominated.

Until reinforced by the friends of General Mahone, Colonel Holliday had the smallest following of any of the candidates. He was a showy man, gentlemanly in his appearance, and strictly moral.

In 1877 I announced myself a candidate for the Senate of Virginia in the following card:

“To the Voters of the Senatorial District, Composed of the Counties of Albemarle and Greene:

## Library of Congress

"Fellow-citizens: Numerous calls have been made upon me to announce myself a candidate for a seat in the Senate of Virginia, from this district, for the approaching senatorial term.

"As I have served the County of Albemarle the last five years in the House of Delegates, you have had ample opportunity to inform yourselves of my political views, financial policy, and the principles which govern my actions, and to judge how far your interests are safe in my hands.

132

"Next to the approbation of God and of my own conscience, I prize the approval of good and intelligent men. My aim has been so to discharge my legislative duties that those that voted for me should have no cause to regret it, and that those that voted against me should have no cause to regret my election without their vote. The very many assurances I have received from my former supporters and opposers of their hearty approval of my past services, and of their increased confidence, is the richest and most gratifying reward that could be given me. If I needed any stimulus to faithful and unremitting care of the interests entrusted to me, these assurances would supply it.

"Deeply grateful for your past support and confidence, I now, in compliance with many calls, which I believe to express the popular will, announce that if it be your pleasure to nominate me, at the convention that has been called to meet in Charlottesville on the 24th instant, as a candidate for a seat in the Senate of Virginia, and to elect me to that position, I shall try to serve you faithfully and to the best of my ability.

"Very respectfully, " John E. Massey.

"Ash Lawn, Albemarle Co., Va., "September 11, 1877."

## Library of Congress

Ex-Lieutenant-Governor Shelton F. Leake, a fine lawyer, a shrewd politician, and one of the ablest stump-speakers and debaters in Virginia, was my competitor for the nomination.

We met in discussion but once. That was at 133 Greene Court House. Governor Leake was very popular in Greene County; I was a comparative stranger there. He proposed that each of us should speak an hour and have fifteen minutes to rejoin. I led off, and confined myself strictly to political issues.

Governor Leake, among other things, commented upon my temperance principles. Portions of Greene were noted for the manufacture and use of brandy and whiskey.

"Mr. Massey," said Governor Leake to the crowd, "will never treat you. He won't even take a social glass with you."

I said in rejoinder: "I feel a delicacy in speaking of myself, and have refrained from doing so, but I thank Governor Leake for the compliment he has paid me. It is true that I am a temperance man. You, fellow-citizens, know what my habits and manner of life have been; and if you want a man who will sacrifice his principles and change his habits for office, I am not the man you are looking for. You must vote for somebody else! I will say to you publicly, as I have said privately, if my election depends upon my giving a man a dram or the worth of one, to vote for me, I'll be defeated before I'll do it!"

Governor Leake did not rejoin as he had the right to do.

As soon as I closed, the County Clerk, Mr. Quintus Hume, came to me and said: "I came here a Leake man: I am now a Massey man. The man who proclaims and maintains his principles before this crowd as you have done, is the man I want to represent me."

134

A free Leake treat was proclaimed. One of the crowd, while partaking of it, shouted, "Three cheers for Massey!"

## Library of Congress

Some one replied, "You drinking Leake whiskey and cheering for Massey!"

"Yes," said he, "and the majority will be for him on election day."

When the nominating convention met in Charlottesville, Greene sent a solid delegation for me. I was nominated by a large majority.

A Republican ran against me. I canvassed both Albemarle and Greene counties.

As I was leaving the stand after speaking at Free Union, in Albemarle County, an old man said to me, "I was much pleased with your speech to-day, and I am certainly going to vote for you."

"I am glad to know it," I replied.

"I've walked a considerable distance," said he, "and I haven't had a dram to-day. Have you ten cents about you?"

"Yes," said I, "but not for that purpose. You must excuse me. I don't drink myself, and cannot encourage others to do so."

As he turned away one of my friends said, "Don't you think you've lost that man's vote?"

"I think it very likely," I replied, "but I didn't lose my self-respect."

I heard afterward that the man voted for me.

On the day of election a man said to me, "I want to vote for you."

"I am glad to hear it," I replied, "and I know of no reason why you should not."



## Library of Congress

"But," said he, "I have made a vow that I will never vote for any man unless I get something for it. I will have to break my vow, or 135 vote against you, unless you give me something, if it is only ten cents."

"If ten cents will buy your vote I don't want it," I replied.

I watched him as he went to a friend of my competitor. After brief talk the hand of the approached man went into his pocket, then their hands met, after which the voter's hand went into *his* pocket, and he went in and voted for my competitor. A pretty strong case of "circumstantial evidence," was it not? Nevertheless, I was elected.

Section 8 of Article 8 of the Constitution of Virginia says: "The General Assembly shall apply the annual interest on the literary fund (the capitation tax provided for by this constitution for public free school purposes), and an annual tax upon the property of the State of not less than one mill nor more than five mills on the dollar, for the equal benefit of all the people of the State; the number of children between the ages of five and twenty-one years, in each public school district, being the basis of such division."

So large a portion of the revenue of the State was paid in coupons that nearly all that was paid in money was required to meet the current expenses of the State, and the residue of it was turned over to bondholders.

The schools were thereby deprived of the means of support dedicated to them by the Constitution, the organic law of the State; and education was languishing.

Confederate soldiers, who had lost their limbs, their health, and their property by the fate of war, saw their children growing up to manhood 136 and womanhood in ignorance without means to educate them, while the taxes that were paid by their toil were diverted from their legitimate object and given to money changers and speculators.

## Library of Congress

I prepared a bill, setting forth the plain mandate of the Constitution, and requiring the capitation tax, and ten cents on the hundred dollars of property taxes, to be paid in money, and kept as a distinct fund for educational purposes, as provided by the Constitution. It was elaborately discussed, and passed in both houses of the legislature by large majorities. This bill was known as the "Massey School Bill."

Governor Holliday vetoed it without stating his reason for doing so. He simply referred to a veto message he had sent to the House of Delegates vetoing an entirely different measure.

When it was returned to the Senate it was taken up and the question: "Shall the bill become a law regardless of the Governor's objection?" was submitted. The bill failed to receive a two-thirds majority, and was, therefore, defeated.

The city press made the following report:

"Upon the reading of the message of Governor Holliday vetoing Senate bill No. 4, known as the 'Massey School Bill,' on the 1st instant, Mr. Massey said in part:

"Mr. President, I shall not now dwell upon the probable, I might say almost inevitable, ultimate consequences of this veto message, but pay my respects to the message itself. . . .

"Sir, it is said that brevity is the soul of wit; but I never saw so grand an illustration of the fact before. A bill, regarded so important by the Senate that it gave it almost its entire time and attention for eight days; a bill, that guaranteed the future safety and success of our system of public education; a bill, in which the whole people of Virginia were most deeply interested; a bill, which has been most carefully prepared, in strict accordance with the Constitution, and in compliance with its clear and positive mandates, is wiped out of existence by about twenty lines from the nimble pen of our heroic Governor! This message does not assign a single reason for this remarkable exercise of the veto power;

## Library of Congress

but simply reminds us (if we dare be so arrogant as to ask a why or wherefore) that his reasons for vetoing this bill may be learned by examining his message, sent to the House of Delegates, vetoing a different bill, which emanated in this body.

“Yet, Mr. President, short as this message is, it very forcibly reminds me of the reply of an old Dutchman, who was asked what he thought of a speech to which he had listened. He said: “Vwell, I tink a smart man might have said all that that man said in one-half the time it took him to say it; and that a very smart man would not have said it at all.”

“Sir, the most unanswerable thing is that which contains nothing to answer. In that respect the message before us surpasses any state paper I ever knew to emanate from a Virginia Governor, and will, I presume, remain unrivaled for all time to come.”

The bill which Governor Holliday vetoed, and 138 to which he referred for his reasons for vetoing the “Massey School Bill, was known as the “Barbour Bill.” After it passed the House and was being considered in the Senate I advocated it. The newspapers gave the following report of my speech:

“We place before our readers the following extract from the speech made by Senator Massey, on the 12th of February, in the Senate of Virginia, in favor of the ‘Bill imposing taxes on real and personal property to meet the necessary expenses of the government, for public free school purposes, and to pay the interest on the public debt.’

“Mr. Massey said: ‘It would be extremely difficult, Mr. President, if not impossible, amid the circumstances surrounding us, to frame a more fair, just, and equitable bill than this. It proposes to do the fullest justice, which the means at our command render possible, to the government, to the public free schools, and to all classes of State creditors. If it be passed by the Senate and approved by the Governor, as I hope and believe it will be, it will preserve the integrity of the government, secure the permanence and efficiency of the public free schools, place the credit of the State upon a firm and safe basis,

## Library of Congress

remove distrust and anxiety, and restore confidence and cheerfulness throughout the Commonwealth.

“Yet, sir, by some strange optical illusion, the opponents of this bill see, or think they see, the demon of repudiation lurking in it, and are taxing all their powers of sophistry and rhetoric (I cannot say logic) to exorcise the foul spirit. 139 Under their delusion, they attack, not the bill, but the phantom of their own imaginations.

“Distrusting their own ability to contend with this imaginary monster, which no one else sees, or will ever see in this bill, they have made earnest appeals for assistance from other quarters. And they now inform us that both the religious press and the pulpit are on their side. This may be true in a few exceptional, and exceptionable, cases, but no further.

“Our efforts to relieve the State from the degrading vassalage in which she has been placed by unwise legislation are opposed by every power which bondholders, money changers, and curbstone brokers can invoke. They combine the world, the flesh, and the Devil against us; but they will not be able to beguile many who are warring against these powers into their ranks.

“I do not know how to describe this new combination, and shall not attempt it. I shall deal with these new assailants only so far as the character of their assault impels me.

“Some of these nondescripts favor us with prayers and lectures, in which they quote the command, Thou shalt not steal, as complacently as if they suppose themselves to be the sole possessors of all honesty and honor, and are looking down with supreme pity, if not contempt, upon all who do not see through their eyes.

“It is doubtful whether the conceited but deluded Pharisee, of whom we read, was more vain of his superexcellence than these self-constituted monitors are; or whether he looked upon the poor Publican with more disdain than they do upon those who choose to be governed by their 140 own convictions of duty, rather than by their *ipse dixit*.

## Library of Congress

“It may be unkind, sir, to disturb the self-complacency of these pseudo-guardians of our honor; but I would respectfully remind them that he who said, Thou shalt not steal, said also, Thou shalt not bear false witness against thy neighbor. There are many ways in which this command may be violated, but I will only mention a few of them.

“It may be violated by improperly applying to others names suggestive of impure or unworthy motives. By discussing or advocating correct moral principles, and then insinuating that those who do not agree with you upon other questions are not governed by these moral principles. It may be violated by exposing unsound doctrines, or immoral principles and practices, and then, by innuendo, unjustly charging others with such doctrines, principles, and practices.

“I hope, sir, I shall not be misunderstood upon this point.

“I utter no word of complaint against any man, whatever his calling or profession may be, because of his advocating and urging the most faithful compliance with moral obligations, or because he insists upon the payment of just debts. I bid him a hearty God-speed, provided his practice does not conflict with his theory. I have ever insisted, and ever shall insist, that it is the duty of both individuals and States to pay their just and honest debts, to the utmost extent of their ability. I will not stop to inquire into the motives of those who deem it necessary to discuss these fundamental principles (which no one is controverting) as earnestly as the Ephesians 141 cried against Paul when they thought their craft was endangered. I shall try to judge them charitably, and to concede to them the purest and most unselfish motives. But, sir, any man who either directly, or by innuendo, charges that I, and those who co-operate with me, in the support of this and kindred measures, are in the slightest sense or degree less devoted to moral principles, less mindful of moral obligations, or less faithful in complying with them, than those are who oppose the measures we advocate, bears false witness against his neighbor.

“It matters not where, or by whom, such a charge may be made—whether upon the hustings, through the political press, the religious press, or in the pulpit—he who makes it, is a false accuser and a slanderer. I do not make these remarks rashly, or hastily, but thoughtfully, deliberately, and without the slightest reservation.”

142

### CHAPTER XII THE BROKER'S BILL

The annual increase of the State debt, by more than a million of dollars, and the increasing dissatisfaction of the people, awakened even Funder legislators to the necessity of a compromise with bondholders. A conference with them was proposed. Hoping that satisfactory terms might be agreed upon and an amicable settlement made, I spoke and voted for a proposition to invite bondholders to meet a joint committee of the legislature in the city of Richmond on a given day. When the day agreed upon arrived not a single bondholder appeared. The legislative committee was met by Hon. Hugh McCulloch, Ex-Secretary of the United States Treasury.

He brought a new Funding Bill with him which had been framed by him and his syndicate, and printed in New York, without any consultation with the authorities or people of Virginia. He said it must be passed by the legislature without any change whatever. I wished to know what amount of State bonds he and his syndicate owned or controlled. He said they did not own or control any, but he thought if the bill he brought was promptly passed, without any alteration, they could influence bondholders to accept it. This bill was the Broker's Bill, sometimes called the McCulloch Bill, or the New Funding Bill.

Examination of this bill satisfied me that I had no use for it. It was, in my opinion, more  
143 objectionable than the Funding Bill of 1871. It provided for capitalizing all unpaid interest (thus increasing the principal of the debt), and issuing bonds for it, and for giving new bonds for those that were then outstanding. These bonds were to be non-taxable, to bear six per centum per annum, payable semi-annually, to have tax-receivable

## Library of Congress

coupons attached, and to be paid in gold forty years after their issuance. It authorized fiduciaries to invest trust funds in these bonds without being authorized to do so by courts; it forced holders of Peeler bonds to sell their bonds at mere nominal prices by requiring their holders to accompany them with double their amount of bonds with tax-receivable coupons; it authorized the Auditor of Public Accounts to raise money to pay the semi-annual interest by issuing certificates of debt, selling them at seventy-five cents on the dollar, and redeeming them six months thereafter at their face value—giving one dollar for what he sold for seventy-five cents six months before. Finally, it gave the syndicate exclusive right to refund Virginia bonds. This placed both debtor and creditor in the syndicate's power.

It seems incredible that a bill containing so many objectionable features, and not a single redeeming one, could have been passed by a Virginia legislature. Yet it was rushed through the legislature of 1879 with most indecent haste. The Readjuster convention was in session at Mozart Hall. I remained in the Senate until the vote was taken, and the bill declared passed, and then attended the convention.

Section 10 of Article 5 of the Constitution says: “No bill shall become a law until it has been read on three different days of the session in the house in which it originated, unless two-thirds of the members of that house shall otherwise determine.”

Immediately upon the introduction of the bill a resolution was adopted fixing the time for voting upon its final passage about three hours thereafter. But a small portion of it was read before an amendment to it was offered. The discussion of this amendment consumed the time until the hour that had been set for voting upon the passage of the bill. The vote was taken and the bill declared passed without its ever having been once read.

I prepared a protest, quoting the constitutional requirement, and reciting the hasty and unconstitutional manner in which the bill had been rushed through the Senate. I asked to have this protest entered upon the journal.

## Library of Congress

The friends of the bill saw that if my protest were made a part of the record, its passage would be a nullity, and opposed the protest's being entered upon the journal, but finally conceded my right to have it done. They then reintroduced the bill and hurried it through the Senate, but were careful to meet the constitutional requirements.

This bill required the syndicate to fund \$8,000,000 of the public debt within six months from its passage. The commissioners of the sinking fund allowed them to use the sinking funds to enable them to comply with this requirement. They then abandoned their "contract," and nothing more was heard of them or it. The syndicate was believed to have made \$1,000,000 by their operations, and to have left both the State and 145 the bondholders in worse condition than they found them.

When I became Auditor of Public Accounts in 1880 I found that plates had been made for engraving the certificates that were to be sold for seventy-five cents on the dollar, to raise money to pay interest, and to be redeemed or bought back at one hundred cents on the dollar—their full face value! Such financiering would soon have bankrupted the State, while the Auditor might have enriched himself by the operation!

A mass meeting of the citizens of Albemarle County was held at the court-house in Charlottesville on February 3 (court-day) to appoint delegates to the Readjusters' convention which was to assemble in the city of Richmond on the 25th of February, 1879.

The following resolutions were unanimously adopted:

"Resolved, 1st. That we earnestly desire an early, just, equitable, and final settlement of the State debt.

"2d. That no settlement will be just and equitable, or can be final, which does not fully release Virginia from all claim for the 'West Virginia third'; or which includes any portion of the 'war, reconstruction, or compound interest.'



## Library of Congress

“3d. That while we desire an early settlement of the State debt, we are unalterably opposed to any settlement that does not bring the payment of interest clearly within the power of the State, without any increase of the rate of taxation, or which interferes with other and paramount State interests.

146

“4th. That the preservation of the functions of the Government, the support of her asylums for the insane, and her institutions for the deaf, dumb, and blind, and the maintenance of her system of public education are paramount duties.

“5th. That the control of her revenues through her legislature, regularly chosen, is a sovereign right of which no one legislature has the right, or the power, to divest the State.

“6th. That we heartily approve the calling of a convention of Readjusters to be held in the city of Richmond, on the 25th instant, for the purposes of mutual conference, and more thorough organization.”

The chairman was authorized to appoint five delegates from each precinct to represent this county in the convention in Richmond, to which delegation were added Albemarle's representatives in the Virginia legislature, and any known Readjusters visiting Richmond at that time.

147

### **CHAPTER XIII THE READJUSTER PARTY**

I saw no hope of meeting the current expenses of the State, maintaining her educational interests, and lightening the burdens of the taxpayers, so long as there was a majority of Funders in the legislature.

I had no desire for, nor thought of, a new party, but expected to accomplish my object in, and by, the Conservative party. I believed if the people were properly informed they would

## Library of Congress

elect a legislature favorable to the measures I was advocating, and I did not wish to return to the legislature unless I could have a majority of its members willing to co-operate with me. Hence I determined to leave my own district and to canvass the entire State at the risk of my own defeat. This was in 1879.

Greatly to my surprise and regret, the State Executive Committee expelled from, or “read out of,” the party all who opposed the Broker's Bill. This drove Readjusters to the necessity of abandoning their principles, or of forming a new party. When the Readjusters met in convention at Mozart Hall in Richmond on the 25th of February, 1879, a new party was formed and called the Readjuster party. As the questions about which we differed had no connection with national politics, but were strictly local, both Conservatives and Republicans were found on each side of the question. The parties arraigned 148 against each other were thenceforward known as Funders and Readjusters, respectively.

What was the real issue between these parties? One party claimed that the new State of Virginia was bound by an irrevocable contract for the debt of the old State as ascertained and assumed by the Funding Bill of 1871. The other party denied that that bill constituted an irrevocable contract; and denied the right or power of one legislature so to dispose of the future revenues of the State as to deprive future legislatures of the power and right to control them.

These questions were entirely separate and distinct from national politics. Hence each of these parties was composed of both Democrats and Republicans.

The names which most correctly defined the difference between these parties were “Funders” and “Readjusters.” No odium, or opprobrium, was attached to either of these names. The Funder press and speakers called Readjusters “repudiators and coalitionists.” I knew of no Readjusters that were Readjusters from principle that were repudiators. If the union of Democrats and Republicans made either party *Coalitionists*, it made *both* parties so. I am not aware that Readjuster speakers ever applied this term to Funders; but

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Funders applied it to Readjusters until it became offensive, and it was used as a term of reproach. It was so confounded with the name "Readjuster" that many seemed to regard it a proper appellation. Even now men write and speak of "Readjusters or Coalitionists" as if these titles were synonymous. He who does this is ignorant, thoughtless, or prejudiced.

149

I hope no man will ever again stultify himself by using the term "Readjuster or Coalitionist," or the still more offensive term "Readjuster or Mahone party."

The finances of the State were becoming more desperate each year. Her liabilities were increasing, and her assets, or taxable values, were decreasing. The appropriations to her eleemosynary and educational institutions were unpaid, and her treasury was empty. Her legislators talked eloquently about the honor and the credit of the State, but took no step to protect them. They were prolific in promises, but proposed no practicable way for redeeming them.

I lost all hope of rescuing the State from her perilous condition until the people could be informed as to their danger and induced to send practical business men to the legislature. After the adjournment of the legislature, Honorables James Barbour, Abraham Fulkerson, and a few others, who had co-operated with us, met to talk over our seemingly helpless condition and to devise measures of relief. I proposed a general campaign of education—that we should thoroughly post ourselves with indisputable facts and figures, canvass the entire State, give the people these facts and figures, and appeal, not to their passions and prejudices, but to their intelligence and their sense of right and justice. All agreed that this was the best course to pursue, but none of them was willing to undertake a work requiring such labor and sacrifice. I did not wish to return to the Senate in a helpless minority, and I said I would canvass the State if I lost my own election by it.

150

I met Gen. William Mahone for the first time a short while before the adjournment of the legislature of 1878–'79. He was brainy, magnetic, plausible; and he was a fine organizer.

## Library of Congress

He was a leading Democrat, and had been a prominent candidate before the gubernatorial convention for nomination for Governor of Virginia at the time that Governor Holliday was nominated.

Col. Abraham Fulkerson, of Washington County, who co-operated with me, was one of the brainiest men in the Senate. He was a friend of General Mahone, to whom he sent a copy of my pamphlet "Debts and Taxes," and whom he advised to espouse the cause of Readjustment.

General Mahone requested an interview with Colonel Fulkerson, and said that my pamphlet had entirely changed his views, and that he should espouse our cause and heartily co-operate with us.

The Readjuster party was organized at Mozart Hall, Richmond, in February, 1879. The opposing parties in Virginia were then designated Funders and Readjusters, respectively.

The Funders had great advantage in the contest. They held all the offices, State and county; owned the entire press of the State; were well supplied with money and speakers; and were well organized.

The Readjusters held no offices, did not own a single newspaper, had but few speakers, but little money, and no organization.

It seemed almost hopeless to make a canvass against such fearful odds.

Gen. William Mahone owned the Richmond *Whig*, a newspaper published in Richmond city. When he espoused the cause of Readjustment, he made it the Readjuster organ, and it became a valuable auxiliary to the cause.

I canvassed the whole State, at my own charges, and went to every county in it. I thought it best to begin at home, and I published a notice that I would address the citizens of Albemarle on their court-day, April 7, 1879.

152

### CHAPTER XIV THE CAMPAIGN OF 1879

It has been said that the campaign of 1879 was the most exciting in the history of the politics of the State. To give some idea of the canvass I shall quote freely from the reports made by the correspondents of the Richmond *Whig*, which was at that time the Readjuster organ. The Broker's Bill was the question at issue.

The canvass, as heretofore stated, was commenced at Charlottesville, at the April term of the Albemarle Court. The next discussion was at Wytheville, in Wythe County, and was reported as follows:

"Hon. John W. Daniel took the stand for an hour and a half. Major Daniel is a gentleman of fine personal appearance, graceful manner, and silver tongue; and would do credit to any cause he might espouse. His speech was filled with beautiful flights of eloquence, and elicited the warmest applause of his friends. Major Daniel certainly met the expectations of his friends, and therefore should be well satisfied with his effort. He endeavored to show that the Broker's Bill is a fair compromise, and all we could do under the circumstances; but we must say that he, with great adroitness, seized upon the strong points of the bill, and discussed them with ability, but skillfully dodged the most objectionable, unjust, and unconstitutional ones. His speech was supported by facts and figures 153 from his standpoint, nevertheless fallacious. But he made the most that could be made out of this very bad bill of the brokers.

"Hon. John E. Massey, of Albemarle, concluded the discussion in one of the most powerful speeches ever delivered in Wythe. It struck terror to the breasts of the opposition, and was

## Library of Congress

a welcome sound to the ears of Readjusters. His speech was courteous, elevated, and eloquent; and he substantially presented the following points:

“He said the question was the settlement of the State debt, and spoke of the great anxiety he had for its settlement—a settlement to suit the people's wants—that he had been working for it for years. He favored a conference with the creditor but not a conference with the brokers. He had opposed a Readjusters' convention, if a conference could have been obtained with the creditors, and a good agreement made. He was willing to concede more than he believed to be equitable to secure a final settlement. Said he: ‘Why then did I not accept the Broker's Bill? Because it is delusive; a deception.’

“First, it professes to reduce the rate of interest to three per cent. for ten years, and he explained this fallacy. Second, it professes to reduce to four per cent. for twenty years. Third, it professes to be the result of a conference between the General Assembly of the State, whereas it is the proposition of two companies of brokers in New York and England. Fourth, it makes a contract with these foreign corporations, or brokers, to give them the exclusive right to refund the Virginia bonds, thus forcing the creditors of Virginia into the hands of foreign syndicates to be 154 shaved and speculated on at their pleasure. Fifth, it saps the very foundation of State sovereignty and independence by divesting her of the power to control her own revenues for forty years. This is done by the obnoxious coupon. Sixth, it increases the State's liabilities by converting interest into principal. Seventh, it discriminates unjustly in favor of consol and against 'peeler bonds—pays full interest on consol and half interest on 'peeler. Eighth, it discriminates against the laborer and the landowner, and in favor of the moneyed man, by making the bonds non-taxable (see Constitution, Chapter 10, 1st Section). Ninth, it allows foreign syndicates to accept or to reject it, but gives no such option to the people. Tenth, it allows the bondholders to convert our debt into a *gold* debt. Eleventh, it pledges Virginia to negotiate with West Virginia for the settlement of West Virginia's third. Twelfth, it authorizes executors, administrators, and other fiduciaries to invest in bonds issued under it, thus enabling them to speculate with the money of their wards, or belonging to estates in their hands. Thirteenth, it provides

## Library of Congress

for an annual increase of the liabilities of the State by authorizing the Auditor to issue an indefinite number of tax-receivable certificates which may be sold at seventy-five cents on the dollar. Fourteenth, its effect will be to cripple the public schools, clog the wheels of government, divert capital from productive interests, create a favored class, and make the rich richer, and the poor poorer.

“Mr. Massey then read from a speech of Hon. A. A. Phlegar, of Montgomery County, in the Senate, as follows:

155

“*Mr. President:* I desire to explain my vote on the amendment to the amendment proposed by the Senator from Richmond, because my reasons differ from those given by him. I think the amendment proposed by the House of Delegates is a wrong to the State, and not to the creditor; that it will not force one coupon bond into the funding process, but will force the State to increase her taxation, without a corresponding benefit to the State. She must raise enough revenue to meet the certificates, and yet for \$100 of certificates she receives but \$75, with it pays but \$75, and receives but six months' respite. In other words she pays interest at the rate of 5 1–2 per cent. per month for the money raised. I am unwilling by my vote to place the State in that position, and, therefore, vote for the amendment to the amendment, as proposed by the House of Delegates.’

“Mr. Massey said the principal of the debt under the Broker's Bill will be \$32,000,000. The interest thereon for 10 years will be as follows:

“The whole Peeler debt, which is \$12,000,000, will bear three per cent. for ten years from January 1, 1879, amounting to \$3,600,000.

“The \$20,000,000 of consol debt will be funded as follows, and bear interest thus: From January 1, 1879, to

July 1, 1879, \$20,000,000 at 6% \$600,000 Jan'y 1, 1880, 5,333,333# at 3% 80,000  
Jan'y 1, 1880, 14,666,666# at 6% 440,000 July 1, 1880, 3,333,333# at 3% 50,000 July

## Library of Congress

1, 1880, 11,333,333# at 6% 340,000 Jan'y 1, 1881, 3,333,333# at 6% 50,000 Jan'y 1, 1881, 8,000,000 at 6% 240,000 156 Jan'y 1, 1881, \$ 3,333,333# at 3% \$ 50,000 July 1, 1881, 4,666,666# at 6% 140,000 Jan'y 1, 1882, 3,333,333# at 3% 50,000 Jan'y 1, 1882, 1,333,333# at 6% 40,000 Jan. 1, '79(7yrs) 20,000,000 at 3% 4,200,000

Interest alone for 10 years \$9,800,000

Add cost of funding, say 50,000

Annual on bonds, which is to be remitted, \$66,000 for 10 years 660,000

Coupons outstanding to April 1, 1879 800,000

Arrearages to schools 1,000,000

Arrearages to asylums 200,000

Accrued and unpaid interest on Literary Fund 263,273

Annual interest on the Literary Fund for 10 years 843,490

Total \$13,696,763

To be raised each year in 10 years, in addition to what is necessary to support the government and the free schools, each year \$1,369,576

The whole amount applicable to these purposes at the present rate of taxation is 972,262

Leaving an annual deficiency of \$397,314

The assessment of 1880, it is believed, will reduce the revenues at least 250,000

“Making an annual deficiency of \$647,314 under the Broker's Bill which will require an increase of taxation. The amount necessary to be raised to pay interest alone on the debt and 157 Literary Fund will average \$1,325,000 for forty years, aggregating the sum



## Library of Congress

of \$53,000,000. And there is no account taken of the Sinking Fund, which is principal, \$5,130,871.90; accrued interest, \$307,571.13; total, \$5,438,443.03.

“The foregoing fully sustains his views of the absolute necessity of an increase of taxation if the Broker's Bill is not defeated by repeal or otherwise.

“The reply of Mr. Massey to the argument of his opponent was withering and crushing.

“The best illustration of the effect of Senator Massey's speech is furnished by an incident that occurred. While Mr. Massey was laying on the blows fast and heavy, one old man, a Funder, in the crowd, who had listened long to the scourging the advocate of the Broker's Bill was receiving, cracked his fists together, and with a woe-begone expression, exclaimed: ‘I wish to God that old gray-headed fellow would stop! He's too hard on that young man!’”

One of the liveliest discussions of the campaign took place at Liberty, in Bedford County, and was reported as follows:

“This has been the liveliest day this old town has seen for many years. Senator John E. Massey, of Albemarle, had been invited to address the citizens of Bedford upon the issues of the canvass. Gen. James A. Walker and Maj. John W. Daniel had been invited by advocates of the ‘Broker's Bill’ to meet him. It was agreed that Senator Massey should open the discussion in a speech of an hour and a quarter; that General Walker and Major Daniel should reply in 158 speeches of the same length; and that Mr. Massey should have the same time to close the discussion. The discussion took place in a large warehouse, which was filled to its utmost capacity. The crowd was largely with Walker and Daniel, but had never heard the issues of the canvass discussed. It was Mr. Massey's first visit to Bedford.

“Mr. Massey made one of the ablest, most logical and argumentative speeches ever heard in this county. He gave a concise and connected statement of Virginia's prosperity

## Library of Congress

and financial resources before the war; of her dismemberment during the war; of the destruction of her resources by the war; of her being held as Military District No. 1 for five years after the war; of her being compelled to accept an obnoxious constitution made, not by her own citizens, but by her enemies; of the Funding Bill that had been foisted upon us by Gilbert C. Walker, an adventurer from New York; he told how the people had repudiated that measure and had sent men to the legislature to repeal it, and how they had been fooled and disappointed by the passage of another funding bill, the 'Broker's Bill,' which he said was more objectionable than the Funding Bill of 1871. He explained its various provisions item by item, and when he had finished dissecting it, his hearers wondered how any fair-minded man could have supported it. Mr. Massey wasted no time on side issues, or personalities, but went directly into his subject as a lawyer would who had a life and death case to plead. The subject was new to the people of Bedford. They had never heard it discussed. Their sympathies were against Mr. Massey's side 159 of the question; but he soon convinced them that he was right, and that he was advocating what he believed would benefit them. There was but little applause during the early part of Mr. Massey's speech; but it soon began, and its increase, as he proceeded, showed that he was carrying the people with him. When his time was up it was evident that he had convinced a large part of the crowd that he was right.

General Walker took the stand as Mr. Massey took his seat. General Walker is an able man and he fully sustained his reputation on this occasion. It is doubtful whether he ever made an abler speech than he did to-day. He rather marred it by his personal thrusts at Mr. Massey, whom he characterized as King Richard with his white plume waving, traveling over the State hunting office. These thrusts were made in a pleasant and humorous way, however.

"General Walker seemed to have studied the Broker's Bill pretty thoroughly, and he made a very plausible explanation and defence of it. He claimed that it was an improvement on the Funding Bill of 1871, that it reduced the rate of interest and thus took less money from the State treasury, and left more for the public schools. He believed, he said, that

## Library of Congress

its requirements could be met without any increase in the rate of taxation; and that there would soon be a large increase in taxable values. It is but just to say that General Walker's speech was able, plausible, and, in the main, courteous, though not convincing. He was liberally applauded while speaking and when he concluded.

“Major Daniel followed and was greeted with vociferous applause. The Major is magnanimous, 160 and usually very courteous, but seemed to have been badly coached for this occasion. He had scarcely made an opening before he pitched into ‘Senator Massey,’ whom he characterized as ‘a lawyer without a brief, a preacher without a charge, a politician without principles, who had left his high position in the pulpit, and was bedraggling his sacerdotal robes in the filth and mire of the political pool.’ It may be inferred from this start that his speech was unusually severe and bitter; but it was more so than any one that knows Major Daniel would infer.

“He spoke of Senator Massey and the twelve men that had invited him to speak in Liberty as ‘John and his twelve apostles.’ He said all this prating about the so-called iniquities of the settlement of the public debt was the merest balderdash to deceive and mislead the people; that the Readjusters, who were in fact repudiators, did not want to settle the debt; that its settlement would destroy their stock in trade—their political capital; that they were like the old doctor that sent his son to attend an old patient. The son returned, and proudly reported to the father that he had cured the patient. The father, in dismay, exclaimed, ‘You have ruined me! I’ve been living on that cancer for years!’ The Major said that if this debt cancer were cured, the Readjusters would starve; that their hope is to ride into office upon that hobby. ‘The offices,’ said he. ‘are all they are after.’

“Major Daniel devoted so much time to Mr. Massey that he had but little left for the discussion of the debt settlement; and when he took it up he showed much less familiarity with it than General Walker had done, Yet, upon the whole, 161 he made an able speech, and was applauded throughout its delivery. His friends thought it a masterpiece, that it was the grandest effort he ever made, and that he had so completely demolished Senator

## Library of Congress

Massey that he would never be able to recover from it. During the delivery of the speeches of General Walker and Major Daniel, Mr. Massey sat behind them with his arms folded on his breast. He never took a note, and no one could see any special concern shown by him. Major Daniel concluded and took his seat amid prolonged applause. He looked as if he were well pleased with both the audience and himself.

“Senator Massey did not leave his seat until the applause subsided. He was so slow in taking the stand that some imagined he would not reply at all. They soon found that this was a vain imagination.

“He commenced in a manner that at once received the attention of his audience; and he held them spell-bound to the end. He commenced by saying:

“Fellow-citizens, whatever I may have done for myself or my cause I know not; but I know the gentlemen on the other side have done one thing for me. They have at least aroused your sympathy for me. You have rarely heard sledgehammer blows rained more vigorously upon any man than have been rained upon me for the last two hours and a half by two of Virginia's ablest men: and you would have to be either more or less than men not to pity me. But, much as I appreciate sympathy, I don't want you to be too hasty or extravagant in its use. Wait until this discussion is over, and then bestow it where you think it most needed, and, unless I am mistaken, 162 some others will need it besides myself.

“I do not suppose that it was necessary for Major Daniel to inform you that I am a minister of the Gospel. I am personally a stranger to you, but all of you who have heard of me have heard that I am a minister of the Gospel. I am not aware that there is anything disreputable in that, provided I act consistently with my profession. I am glad to know that none of my opponents have ever charged me with conduct inconsistent with ministerial character, unless my present associations be so construed [waving his hand at Daniel and Walker].

“Why have these gentlemen paraded the fact that I am a minister? If they had known me to be a drunkard, a gambler, or a libertine, they would not have alluded to it. Have they

## Library of Congress

so poor an opinion of the citizens of Bedford—a county that has sent out more preachers than any other county in the State—as to suppose they would have less confidence in a man who goes from the hustings to the prayer-meeting, or the pulpit, than they have in those who go from the hustings to dramshops and gambling dens? Such insinuations are insults to you, fellow-citizens! Major Daniel says I am bedraggling my sacerdotal robes in the filth and mire of the political pool. If it is as filthy as he represents it I will not charge him and General Walker with *making* it so, but I will charge them with *failing to purify it*, though both of them have been long in it. If it is still so filthy that gentlemen cannot enter it without soiling their garments it is time to throw in some purifying element. But why are these gentlemen so concerned about the purity of *my* garments and so unconcerned about *their* 163 *own*? Are their garments *impervious*? Or are they *already* so *soiled* that they can't be made *worse*?

“I think that I can give an illustration which will explain Major Daniel's remarks about me. A boy, who was accustomed to treating his associates very rudely, attended a Methodist meeting, made a profession of religion, and joined the church. His former associates thought they could now treat *him* roughly with impunity; when he would resent it, they would say to him: “Now, John! remember you are a member of the church!”

“He bore it until he thought perseverance ceased to be a virtue, and when they repeated their rudeness, he said: “Boys, it is true I've joined the church, and I hope I am converted; but you know I belong to a church that believes in falling from grace, and if I *should* fall, woe be unto you!”

“They never trod on John's toes after that. They didn't want John to fall. They dreaded the consequences.

“I suppose Major Daniel knows that the church to which I belong does not believe in falling from grace, but in the final perseverance of the saints. I hope that He who has kept me

## Library of Congress

thus far will keep me to the end, but I am not unmindful of the admonition: Let not him that girdeth on his armor boast himself as he that putteth it off. I hope I can bear these taunts.

“I recognize the fact that my position is that of the *anvil*, whose province is to *receive* blows and not to return them; and *here* is an anvil upon which many such hammers as you [pointing 164 to Daniel and Walker] may wear themselves out without its being conscious of their blows.

“I know nothing of Major Daniel's devotions; but if he has any, now that I've given him the hint, I think one of his daily petitions will be that John E. Massey may not fall from grace during this canvass. If he hears that I have fallen, he will never tread on my toes after that. He will never presume upon John's forbearance again. He will be very courteous to John after that.

“But, says Major Daniel, all the Readjusters are after are the offices. Well, if that be so, they are going to get them. Offices are necessary, and have to be filled by somebody; and the people of Virginia are too magnanimous to force them upon people who *don't want* them when there are people just as competent to fill them who *do want* them. Of course, men who sneer at others for wanting offices don't want any themselves. Major Daniel sneers at me for wanting office! Surely *he* doesn't want any! Oh, no! not he!

“I do not wish to disparage Major Daniel. He was, no doubt, a brave and gallant soldier; but many unmarked graves contain the remains of men who fought just as bravely as he did. They couldn't all be majors. Who ever heard of Major Daniel outside of a very narrow circle until within a few years? But now his name is known from the centre to the utmost borders of the State. How did it become so well known? Because it has been associated with every office in the gift of the people. He has been a standing candidate for Congress for years. He was a candidate for Governor, for the Court of Appeals, and for the United States Senate; and when the 165 people would not *force* these offices upon him, he was

## Library of Congress

so determined to bear some of the burdens of office that he had a slice of Lynchburg cut off and constituted into the town of *Daniel*, that he be made one of the city fathers.

“There great Cæsar fell! And oh, my countrymen, what a fall was that! From *Congress*, from *Court of Appeals*, from *United States Senate*, from *Governor*, to a *trustee* of the town of *Daniel*!

“He reminds me of a lady who had spent so much time in single blessedness that she thought her only chance to get a husband was to pray for one. She knelt under a big tree and commenced praying. An owl lit in the tree and said, “Who, who?” Thinking her prayer was about to be answered, she said, “Anybody, anybody, Lord, so he is a *man*!” There she is [pointing to Daniel]. *Anything, anything*, so it is an *office*! But he has been so crafty in his pursuit of office that he thinks the people don't know his anxiety for it. He is like a gentleman who asked a father for his daughter. He had been so sly in his addresses that the old gentleman didn't know he had ever courted his daughter. The old man said: “Why, have you ever said anything to Sal upon the subject?” The young man replied: “Oh, yes, and she's *keen for it*!” There sits Sal [pointing to Daniel], and ‘she's keen for it!’

“During the delivery of this speech the crowd became wild with excitement. Mr. Massey had to step back repeatedly to avoid being lifted off the stand. Major Daniel arose and asked if he might explain.

“‘Certainly,’ said Mr. Massey.

166

“‘No! no!’ several cried; ‘he didn't interrupt you, and you sha'n't interrupt him!’

“Major Daniel took his seat, and Mr. Massey, turning to him, said, ‘Major, if I am bearing down too heavily I will lighten up a little.’ The Major again asked if he might explain.

“‘Certainly,’ said Mr. Massey.

## Library of Congress

“‘No’ no!’ the crowd again cried; ‘you sha’n’t interrupt him.’

“He again took his seat, and Mr. Massey said, ‘Major, if you’ll tell me where the sore place is I’ll keep my hands off it.’

“‘Sore place!’ some one cried, ‘he’s sore all over! You’ve not left a particle of skin upon him!’

“This was, in many respects, a remarkable discussion. Sharp and keen as the passes were between the gladiators, no ill feeling was displayed by either speakers or hearers. At the conclusion of the discussion Mr. Massey received a perfect ovation. No one questioned his complete victory. His first speech convinced the crowd that he was right, and his last perfectly captivated them.

“Senator Thurmon had his carriage there to take Daniel and Walker home with him. As soon as the cheering for Massey ceased, the crowd called lustily: ‘Thurmon! bring on your ambulance! Bring on your ambulance, Thurmon! and bear off your wounded generals!’”

“The Warrenton papers stated that Mr. Massey would not dare to come to Warrenton; that if he did they would give him Payne, meaning that he would be met and used up by Gen. W. H. Payne, an able lawyer.

“Mr. Massey, however, Published that he 167 would address the people of Fauquier at their July Court.

“He came on Saturday. As he got off the cars on one side General Payne got on from the other side, left the town, and did not return until Mr. Massey left.

“On Monday morning a committee of Funders called on Mr. Massey and inquired if he were willing to divide time and have a joint discussion? Mr. Massey replied that it was not his custom to seek or to decline discussions; and inquired whom he would have to



## Library of Congress

discuss with? They said Capt. Ham Shepperd. Captain Shepperd had not called on Mr. Massey, nor had Mr. Massey ever seen him. Mr. Massey said he had expected to meet General Payne, but that it was not his province to select their speaker, and that they and a committee of his friends could arrange the terms of discussion, and all he asked was that those terms should be fair to each. The committee said that Captain Shepperd proposed that Mr. Massey should open in a speech of an hour and a quarter, give him an hour and a quarter, and Mr. Massey could have the balance of the time. Mr. Massey said, 'He can have better terms than those.'

"No,' said they, 'that is all he wants.'

"When Mr. Massey went upon the stand several gentlemen were seated upon it. None of them spoke to him, and he did not know which of them was Captain Shepperd.

"Mr. Massey's opening speech surprised all who had not heard him before. He stated the issues of the canvass so clearly that none could fail to understand them. He then discussed them in a most fair, logical, and forcible manner. 168 His speech from beginning to end was courteous and dignified. The large audience listened with evident interest, and frequently applauded the speaker.

"When Mr. Massey concluded, one of the gentlemen on the stand placed a parcel of documents, a glass, and a pitcher of toddy on the table, and returned to his seat.

"Captain Shepperd then went forward and commenced in an impassioned manner, not to reply to Mr. Massey's arguments, or to discuss the Broker's Bill, or any other issue; but to discuss Mr. Massey and the Readjuster party, or, as he called it, the 'Black and Tan party.'

"After expressing his loathing of Readjusters, he turned toward Mr. Massey, and pointing at him, said, 'If I were to join such a party as he belongs to, I would be a *scoundrel!*' and continued in this vein to the end of his time. He then took his seat, with the appearance of entire self-satisfaction—seeming to say, 'Answer that if you can.'

## Library of Congress

"Mr. Massey's reply surpassed anything ever *seen* or *heard* in this town. He first took Captain Shepperd's documents, carried them and laid them down by him. He then carried his glass and set it by him. He then took his pitcher of toddy and set it by him. He then wiped off the drops of toddy which had been spilled on the table. All this was done in silence, while the people looked on with amazement.

"After his *silent* speech, he said: 'Fellowcitizens, I came here to discuss *measures*, not *men*; to talk about things of public interest, not to indulge in personalities: but in traveling over the State I have met men of different tastes and 169 capacities. Some of them lack either the taste, or the capacity, to discuss questions upon their merits, and can only entertain an audience by indulging in side-issues and personalities.

"When I meet such, I try to accommodate them; but I am at a disadvantage on this occasion. The gentleman who has just taken his seat seems to have made me and my history a careful study: and to have thoroughly posted himself. I never heard of him before this morning, and nearly all I know of him I have learned from himself.

"He told you that if he were to join such a party as I belong to he would be a *scoundrel*. Well, he knows himself better than I do, and if he insists that under certain contingencies he would be a scoundrel I am too courteous to dispute his word. I have been taught, however, that while circumstances *develop* the man they don't *make him*. A favorable season may give abundant crops, while an unfavorable season dwarfs them; but unless the germ is there to vegetate you'll have no crop, though the season may be ever so favorable. When, therefore, a man assures me that under certain circumstances he would be a scoundrel, he forces me to the conclusion that the scoundrel is *in him* and only needs the circumstances to develop it.

"You may judge from this exordium what the balance of the speech was. Such an excoriation was never heard in this county before; and the speech will never be forgotten by those who heard it. It taught Captain Shepperd a lesson he will never forget. He once

## Library of Congress

interrupted Mr. Massey, *but* did it but once. The retort he received silenced him. Yet it was all said and 170 done in the most pleasant manner, without the least appearance of acrimoniousness or ill temper.

“Mr. Massey had so fully discussed the Broker's Bill and other issues of the canvass in his first speech that he deemed it useless to devote more time to them, and closed amid long and vociferous applause. He can truly say with Cæsar: ‘I came, I spoke, I conquered.’

“A Fauquier Readjuster. ”

It is due to Captain Shepperd to say that when I next visited Warrenton he met me at the depot, invited me to go home with him, and was one of my warmest friends the residue of his life.

“The most remarkable meeting in many respects which was ever held in Norfolk city was held here last night. It had been announced that Senator Massey, of Albemarle, would address the citizens on the issues of the impending canvass. He was expected to speak in either the court-house, or a large warehouse. The Funders, to prevent his speaking, engaged both of these houses.

“Mr. William H. Turner, the wealthiest man in Norfolk, with whom Mr. Massey was stopping, obtained the use of Mechanics' Hall. He engaged a brass band to accompany Mr. Massey to the hall, had a tar barrel set on fire at each street crossing on the way, and engaged a cannon to be fired at proper intervals.

“The hall was filled, and an immense crowd was outside, unable to get in.

“When Messrs. Goode and Withers went to 171 the court-house they found it comparatively empty. They sent Major Taliaferro to the hall with a request that we would admit them and divide time with them. Many objected to this, saying they had tried to prevent Mr. Massey from speaking, and did not deserve any favor from us.

## Library of Congress

“Mr. Massey said: ‘Let them come. I want the people to hear both sides.’

“It was agreed that Withers first, and Judge Godwin second, should each occupy a half-hour; that Mr. Goode should occupy an hour, and Mr. Massey close without limit of time.

“Messrs. Withers and Godwin acquitted themselves to the satisfaction of their respective friends, but there was nothing striking or remarkable in the speech of either.

“Mr. Goode commenced by fulsome eulogy of Mr. Massey as a minister of the Gospel, and spoke of the great regard he had for his theological views. He then expressed his deep regret that a man, who was capable of doing so much good, should come down from his position in the pulpit, and be perambulating the State from one end to the other, stirring up strife, and causing dissatisfaction among the people.

“Turning to Mr. Massey, he said: ‘Now, my brother! my *good* brother! let me implore you to abandon the idea of making a political speech to-night, and give us such a sermon as I know you can give. You call them up, and I'll sing: Turn, sinners, turn. And, oh! what a meeting we'll have! Now, won't you, my good brother? Give us something from that good book; from the writings of Peter and Paul and John.’

“He then turned his attention to the Broker's 172 Bill. He said we ought to accept it—that the Governor approved it, that the Lieutenant-Governor, the United States Senators, all the Congressmen, all the State officers, and nearly all the lawyers approved it! He never attempted to explain it, or show any benefits which the State would derive from it.

“Mr. Massey's commencement was a model of modesty.

“He said: ‘Fellow-citizens, I am a total stranger to you, and have no claims upon you except those which arise from the fact that I, a native Virginian, come to talk to Virginians about matters in which they are as much interested as I am.

## Library of Congress

“I claim no superior ability. I only claim that having studied the issues of this canvass, especially the Broker's Bill, which is the main issue, I can give you a fair explanation of it.

“My friend, who has just taken his seat, has discussed me more than he has the issues which divide us.

“He seems to be in trouble, and has appealed to me most pathetically to come to his relief by giving him something out of the Good Book—the writings of Peter and Paul and John—and as I claim to be an accommodating man, I'll try to accommodate him.

“He says I am perambulating the State from one end to the other, stirring up the people, and making them dissatisfied.

“If I can show him from that Good Book that others have suffered as he thinks he is suffering it will be consoling to him.

“Have you never read, my Goode friend, in that Good Book that when Paul and Silas went 173 to Ephesus a similar cry was raised? The multitude was so excited that they cried out for two hours: “Great is Diana of the Ephesians! Great is Diana of the Ephesians!” When the town clerk inquired the cause of this uproar, he was told: “These who have turned the world upside down have come hither also.” What had Paul done to cause such an uproar? He had simply taught the people that they ought to worship the true and living God. Don't you think he was doing a good work? But why did this teaching so exasperate the Ephesians? Demetrius, a silversmith, who made silver shrines for Diana, by which they got their wealth, answered: That Paul hath persuaded and turned away much people, saying they be no gods which are made with hands. So that our *craft* is in danger to be set at nought.

“Is that what is the matter with you, my Goode friend?

## Library of Congress

“*Is your craft in danger?* Are you afraid that if the people understand how their public interests are sacrificed for the benefit of a few you will cease to draw your \$5,000 in gold annually?

“Error cannot be very dangerous so long as truth is free to combat it, especially when error has such a weak champion as I am; and truth is defended by you, the great Ajax Telamon! You are surely not afraid to have light turned on our public affairs, are you?

“That Good Book says: ‘Every one that doeth evil hateth the light, neither cometh to the light, lest his deeds should be reproved. But he that doeth truth, cometh to the light, that his deeds may be made manifest.’”

174

“It is impossible to do justice to Mr. Massey's speech. He illustrated many other points by Scriptural quotations. While doing so, Mr. Goode interrupted him several times. Mr. Massey said, in reply to these interruptions, ‘I've been trying to give the gentleman just what he asked for. I want to accommodate him, and then take up the subject I am here to discuss; but if he keeps interrupting me I don't know when I shall get through. But I will not complain: a little spice enlivens life. Men, like boys, always want to see the monkey when they go to the show, and I sometimes try to exhibit him; but my Goode friend has saved me that trouble on this occasion—he has exhibited himself.’

“Mr. Goode became perfectly furious at this, and, rolling up his sleeves, rushed up to Mr. Massey. The crowd hissed and cried, ‘Sit down! sit down!’

“Mr. Massey said, ‘What is the matter, my Goode friend?’

“Mr. Goode replied, ‘Nobody but a demagogue and a political preacher would have offered me such an insult!’

## Library of Congress

"Mr. Massey said: 'Fellow-citizens, I did not wish to insult the gentleman. I was doing my best to *please* him—to give him *just what he asked for!* If a man doesn't mean to entertain me he shouldn't invite me to his house; and if he comes to my house I'll try to entertain him, and if he proposes a little pleasantry and gets more than he bargained for, he must not complain. *I am not insulted!* No *gentleman* ever tried to insult me, and no one else *can* do it!

175

"Mr. Goode started out, and the crowd called to him, 'Come back! Come back and take it!'

"He came back and sat down.

"I have neither the time nor the ability to give the residue of Mr. Massey's speech. His castigation of Mr. Goode, and his exposition and elimination of the Broker's Bill surpassed anything I ever heard, and it was all done in the plainest and most pleasant way. The great body of the large audience were thoroughly in accord with Mr. Massey when he closed.

"Mr. Massey spoke over two hours, and the audience seemed unwilling for him to stop. He chained their attention to the end, and those who heard him will never forget last night.

" Veritas. "

"Mr. Massey spoke in Berryville, Clarke County, a few days before the fall election in 1879. He was met by Robert Barton, Esq., a prominent lawyer of Winchester. As it was Massey's appointment, Barton opened the discussion.

"Mr. Barton is a man of decided ability, a fluent and forceful speaker, but was not well posted on the issues of the canvass. He seemed, however, to be well posted on the stereotyped charges against, and flings at, the Readjusters.

"He charged them with favoring repudiation; with trying to capture the negro vote, and with wishing to ride into office upon their backs; said he had asked Paul, in a discussion, whether he intended to vote with Democrats or Republicans at the next presidential election, and that Paul answered, 'Sufficient to the day is the evil thereof'; that he was going to ask Mr. Massey 176 the same question, but did not know whether he would answer it or not.

"Mr. Massey said, 'You need not hesitate to ask me that question. I am a *Democratic Readjuster*, and when the matters that now divide us are settled, you will still find me in the Democratic ranks. You charge the Readjusters with trying to capture the negro vote. Do you deny that Funders are also trying to capture their votes? Each party wishes to secure all the votes it can, whether they are cast by whites or blacks, and if it secures them *fairly*, neither one can complain of the other for doing it. I have never sought their votes by catering to them, nor have I ever occupied a stand with a negro. Can you say the same of all prominent Funders?'"

177

### CHAPTER XV AUDITOR OF PUBLIC ACCOUNTS

I was assured that I should have no opposition for re-election to the Senate if I would stay at home and not canvass the State. I refused to do this, as I considered my election or defeat of little moment compared to saving the State from the ruin that threatened her.

The Funder papers and speakers had expressed holy horror of Republicans and Republicanism, but were willing to unite with them, and to support the most prominent Republican in my district to defeat "Parson Massey." The white Funders, combined with the Republicans, elected my opponent and defeated me.

The Funders were overjoyed at my defeat: they were going to "Bury me under a sour appletree," and had composed a song in the style of "Cock Robin" to be sung at my burial.



## Library of Congress

I was amused at their exultation. My composure disconcerted them. The editor of the *Chronicle* said to me, "You seem very unconcerned."

"True greatness," I replied, "is known by moderation in victory and fortitude in defeat."

I met him the next day, his head was down, and he looked so woe-begone that I asked,

"What is the matter?"

"I believe you've got us," he replied.

The mails had brought reports of the triumph of Readjustment throughout the State. We had elected a majority to both branches of the legislature.

178

As soon as it was known that I was defeated for the Senate I was requested by many friends to become Auditor of Public Accounts. I consented to be a candidate for the office.

When the legislative caucus met to nominate officers a rule had been formulated to apportion the offices among the Congressional districts, and to give the Readjuster members from the different Congressional districts the right to name the men who were to be elected to office from their respective districts, and to select the clerks they were to appoint.

I had no objection to a proper distribution of the offices over the State, but was opposed to having the clerks that were to be employed in them appointed by men who had no responsibility for their faithfulness or efficiency.

I declined to accept office under such conditions.

Thereupon the following resolution was offered by T. L. Michie, of Albemarle, and unanimously adopted:

## Library of Congress

“Resolved, that if the Hon. John E. Massey will accept the office of Auditor of Public Accounts, his office shall not be charged to any district, but to the State at large, in consideration of his eminent services and his eminent fitness and ability.”

I thereupon agreed to accept the office, and was nominated and elected.

I entered the office and assumed its duties on the 2d day of January, 1880. I found the office in a very bad condition. Its work was much behind. None of the commissioners' books of 179 the past year had been examined and corrected, and the treasurers' accounts had not been “squared up” for years. The custom had been to charge treasurers the taxes assessed in their respective counties and cities, credit them by their payments, and let the accounts lie open and run on from year to year.

It was my predecessor's custom to send commissioners of the revenue checks for a part of their commissions upon receipt of their books, and wait until all were in, and then examine them alphabetically under this rule: “If the books from Accomac were the *last* received, they were the *first* examined; and if those from York were the *first* received, they were the *last* examined.”

I made a statement showing the financial status of the office, from which it was seen that the receipts of the State for the past eight years had not been sufficient to meet its liabilities by more than eleven hundred thousand dollars annually.

I had the commissioners' books examined as promptly as possible in the order in which they were received; and had the treasurers' accounts of each year “squared up,” and the balances due by them carried forward, adding the interest due thereon to them.

Many clerks of courts had failed to make payments or reports for several years.

## Library of Congress

The chairman of the Finance Committee, finding the business of my office in such bad condition, proposed to give me additional clerks. I opposed this, and said I would get the work up and keep it up with the clerks I then had.

Office hours were from 9 A. M. to 3 P. M. I 180 said to my clerks that the work must be done without regard to these hours, and they worked both early and late. I had a bed-lounge put in my office, and slept there rather than go to my boarding-house when I stopped work in the night.

No summary of receipts and disbursements, by which I could know the amount of money in the treasury, had been kept in my office. A clerk from the Treasurer's office reported the amount to me daily at the close of office hours. I had a book opened in which all receipts and disbursements were entered. By referring to this I could tell the amount in the treasury at any hour.

The legislature authorized me to borrow \$200,000 to meet the pressing necessities of eleemosynary institutions, and to pay the current expenses of the government.

The Governor and Auditor had tried to borrow \$50,000 the week before, and could not do it. The Funders laughed at the idea of the "Repudiators," as they called the Readjusters, borrowing \$200,000 when the "Debt-payers" could not borrow \$50,000.

I made a careful estimate of the amount due by treasurers and clerks, the amounts that I supposed would be paid in coupons and currency respectively, and the amount necessary to meet current expenses. I took this estimate to the legal advisers of the Planters' Bank, Judge W. W. Crump and Col. W. W. Gordon.

Upon their approval the bank agreed to lend me the \$200,000. I arranged to have it placed to my credit in four instalments of \$50,000 each, at stated intervals as I could use it.

## Library of Congress

I prepared four notes, signed them, got the Treasurer to countersign them, and took them to the Governor to endorse, as was the custom. Governor Holliday said borrowing money was one of the prerogatives of the Governor, and as the legislature had taken it out of his hands and placed it in mine, he should have nothing to do with it. He would not endorse the notes. I could not prevail on him to endorse them, and I reported the fact to the bank. Mr. John B. Davis, the president, told me to fill out four other notes and sign them myself, and ask no one else to sign or endorse them. I did this, signing them as "Auditor of Public Accounts," and got the money.

I addressed a circular to all county and city treasurers, calling upon them for prompt payment of all money in their hands, and for monthly settlements of their accounts.

I commenced paying outstanding warrants and annuities to State institutions. The Board of Visitors of the Western Lunatic Asylum passed a complimentary vote of thanks to me upon receipt of their annuity.

Soon after I became Auditor a batch of accounts, properly certified by the court, was sent to me for payment. I wrote on their back, "Please refer me to the law that makes these accounts proper charges upon the State treasury," and returned them.

They were soon sent back with a letter to me stating, "I am not surprised at your tacit admission of your incompetency to fill your office; but the law does not require me to go without my money until you can learn your A, B, C in bookkeeping. I have been sending these accounts 182 to the Auditor's office for years, and it is the first time they have been returned to me. I send them back for payment; and, unless they are promptly paid, I shall ask for a mandamus to compel their payment."

I replied: "As you recognize the fact that I am newly in my office, I hope you will bear with me until I can familiarize myself with its duties. I confess that I am ignorant of any law that makes these accounts proper charges upon the State treasury. As you have been sending

## Library of Congress

them here *for years*, I suppose you are familiar with the law. If you are not, ask the judge that certified them to refer me to it.”

I returned the accounts with my letter, and never heard of them again.

Shortly after this quite a large batch of accounts was sent me for payment from Buchanan County. I took the same course with them that I had taken with those above referred to. In a few days the Sergeant of Richmond city served notice on me “to appear on the first day of the next term of the Buchanan County Court to show cause, if any he can, why an attachment should not be issued against him for contempt of court in refusing to pay accounts certified by this court.”

This was so ridiculous that I found difficulty in answering it without using a little irony. Yet I wrote the judge as courteously as I could, under the circumstances. In a few days I received a letter from him, saying, “The rule against you, having been improvidently awarded, has been dismissed.”

These are specimens of accounts that had been paid, without any wrong intent of those that 183 presented them, the judge that certified them, or the auditor that paid them, but as results of inexcusable ignorance and carelessness.

I had helped to frame and pass most of the revenue laws, and was, therefore, familiar with them.

My administration of the Auditor's office was favorably commented upon by many who had opposed my election. The following are some of the comments.

The Harrisonburg *Commonwealth* said: “We have always been the antipode of Rev. John E. Massey, politically, so far as the State debt question was concerned, but that does not prevent us from according him the recognition which is his due, as one of the most valuable officers, past or present, of Virginia's State Government.”

## Library of Congress

Judge James Garland said: "I am ninety years old, and have been familiar with the Auditor's office for sixty years. Mr. Massey is the best State officer we have had within my recollection."

The Richmond *Whig* of January 12, 1881, said: "Auditor Massey has made another payment of \$15,000 for public school purposes. . . . Under the new administration the public school teachers throughout the State are, and have been receiving their salaries more regularly, and no one manifests a greater interest in the welfare of our public schools than Auditor Massey."

The *Valley Virginian* said: "Hon. John E. Massey is making a most efficient and painstaking officer. He has the business of that office in better condition than it has been since the war."

184

The legislature of 1880 passed a "bill to reestablish the public credit," but the Governor vetoed it, and it failed to pass over his veto. This bill to settle the State debt was known by the name of its author, and was called the "Riddleberger Bill."

185

### **CHAPTER XVI READJUSTER PRESIDENTIAL ELECTORS**

The Readjusters held a convention in Richmond on the 7th of July, 1880, to appoint Presidential electors.

The State Executive Committee, of which General Mahone was chairman, presented the following declaration of the principles and purposes of the party:

#### **"READJUSTERS' PLATFORM**

## Library of Congress

“The Readjusters of Virginia, in convention assembled, renewing their declaration of allegiance to the principles of local self-government, and reaffirming their unalterable purpose to keep them steadily in view,

“Resolve, That party lines should be drawn with sole reference to issues born of fundamental principles, and that the highest guarantees for the faithful execution of any public trust are a rigid and resolute adherence to this canon of political liberty, and a free avowal of sincere purpose to promote the welfare and maintain the legal rights of all the people of the State, neither consenting to the subordination of the one nor acquiescing in the postponement of the other from any considerations of policy or expediency.

“2. That they reassert the right of the people, through their representatives, to exercise sovereign control of the revenues, and protest again 186 against all devices to subordinate the support of government and the maintenance of public institutions to any other claim whatsoever; and solemnly reaffirming the principles and policy laid down by the convention held at Mozart Hall on February 25, 1879, do hereby approve and endorse the ‘bill to re-establish the public credit’—upon which the people were denied the privilege of passing judgment by a partisan and arbitrary exercise of the executive veto—as correctly embodying the same, as fairly meeting the equities of the case and the necessities of the people, and as constituting the extreme limit of legal and moral obligation upon the part of this Commonwealth to the holders of her bonds.

“3. That while it is of grave importance to every interest of the Commonwealth that the question of the public debt should be finally and fairly disposed of, no settlement can have the essential feature of finality which shall lack the approval of the people; and consent will never be given by the majority for whom this convention is empowered to speak to any plan which involves an increase of taxation, which creates any lien upon the revenues, which endangers the system of free education ordained by the Constitution, which includes war and reconstruction interest in computation of the debt, which recognizes any liability for that portion set aside to West Virginia, which makes or continues discrimination

## Library of Congress

between different classes of the public creditors, which places the interest of State or bondholder in the keeping of agents other than the financial officers of the government, which relieves from taxation any property not specifically exempted by the Constitution, which 187 converts a currency obligation into one payable in gold, or which imposes an interest liability larger than can with certainty be met out of revenues not destructive of the industrial interests of the State.

“4. That, recognizing their obligation and proclaiming their intention to support and obey the Federal and State Constitutions as the only sure protection of the civil and political rights of citizens, and the only safe bulwark against encroachment upon the liberties of the residuaries of sovereignty in all popular governments, the Readjusters reiterate their purpose to vindicate and maintain the constitutional rights of the citizen to the exercise of a free and priceless suffrage.

“5. That as the voice of the people is the source of all rightful power, so is the first duty of government toward securing and maintaining the popular rights and interests, and we demand at the hands of all departments of the Government of Virginia an honest application of constitutional grants to the education of the children of the people, a fostering policy toward the public schools and colleges, and a full and generous recognition of the claims upon public support of the institutions for the insane and unfortunate.

“6. That the paramount obligation of the various works of internal improvement is to the people of the State, by whose authority they were created, by whose money they were constructed, and by whose grace they live; and it is enjoined upon our representative and executive officers to enforce the discharge of that duty, to insure to the people of Virginia such 188 rates, facilities, and connections as will protect every industry and interest against discrimination, tend to the development of their agricultural and mineral resources, encourage the investment of active capital in manufactures and the profitable employment of labor in industrial enterprises, grasp for our cities those advantages to which by reason



## Library of Congress

of their geographical position they are entitled, and fulfill all the great public ends for which they were designed.

“7. That while looking to the maintenance of the principles and accomplishment of local objects above set forth as superior to all other considerations with which the Readjusters as a party have to deal, there are reasons both of duty and policy why this organization, called into existence by a majority of the people of Virginia, should control as such the voice of this State in national affairs. It is important to a successful issue of the contest in 1881 for supremacy in the Commonwealth that the representatives to, and of, the Federal Government from, and in, Virginia should not be found, as hitherto, contesting and obstructing the manifest will of a majority of this people upon domestic operations. To the end, therefore, that power may not fall into the hands of avowed enemies of the cause of Readjustment, of liberal government, and of popular sovereignty, this convention nominates a full ticket of electors, and that it recommends to the party in the several districts of the State to hold conventions and nominate candidates for seats in the Federal Congress. And believing that the objects hitherto declared and the interests of all the people of Virginia are to be best subserved by the election 189 of Hancock and English to the presidency and vice-presidency of the United States, therefore further declare that the electoral ticket nominated by this convention is instructed in behalf of those candidates, and that they are cordially commended to the earnest support of every member of this organization in Virginia.

“8. That the Federal Government, in every department, should be administered in exact conformity with the Constitution as it is; that it is the duty of the citizen to accept in good faith the results of the war, and that the aim of statesmanship should be to establish peace and goodwill between all sections of our common country and all classes of the people; that powers which are granted for the general good cannot safely nor rightfully be prostituted to the fostering of classes, and the duties and privileges, the burdens and benefits, of government, should be equally distributed; that the tariff and revenue systems of the Government should be reformed to the extent that no interest should be protected

## Library of Congress

at the expense of another; that the Federal tax upon tobacco is an unjust discrimination against the land and labor employed in agriculture, and ought to be repealed.

“9. That in the exercise of such powers as the people of Virginia may see fit to bestow upon this party, in State or Federal affairs, the Readjusters stand pledged to a faithful observance of the principles and an earnest pursuit of the objects herein set forth.”

As heretofore stated, Readjustment had no connection with national politics. The differences between Funders and Readjusters pertained 190 wholly to *State* matters. Hence each party was composed of both Democrats and Republicans.

A convention of the Funder wing of the Democratic party had been held on the 19th of May preceding to send delegates to the presidential convention which was to meet in Cincinnati, Ohio, and to appoint presidential electors.

The following electors were appointed by it: Gen. John Echols and Col. P. W. McKinney, electors at large; Thomas Croxton, 1st district; C. B. Watts, 2d district; Hill Carter, 3d district; Samuel Coleman, 4th district; J. S. Tipton, 5th district; Samuel Griffin, 6th district; F. M. McMullen, 7th district; J. Y. Meniffee, 8th district, and William Terry, 9th district.

I thought the adoption of the Readjuster platform by the Readjuster convention, composed of both Democrats and Republicans, would prevent putting a Republican ticket in the field, and insure the State to Hancock and English, no matter which ticket—Funder or Readjuster—got the larger vote. Hence I advocated it in a speech, which Colonel Ruffin and others pronounced “the speech of my life.” I am quite sure I never made a more *effective* speech.

The platform was adopted with practical unanimity, and the following electors were appointed: Colonel Cameron and Senator H. H. Riddleberger, electors at large; Robert Mayo, 1st district; Colonel William Lamb, 2d district; John S. Wise, 3d district; F. E. Buford,

## Library of Congress

4th district; William Powell, 5th district; Gen. Wyatt M. Elliott, 6th district; J. S. Brownell, 7th district; M. B. Meade, 8th district; J. C. Taylor, 9th district.

191

All these claimed to be Democrats, and I believed their claim to be just. *I had no doubt of Mahone's Democracy or his patriotism.*

When he joined the Readjuster party he made the Whig its organ; and, for a time, it rendered the party valuable service; but, gradually, and by almost imperceptible degrees, it converted the Readjuster party into a *Mahone* party. Its work was done so insidiously that but few discovered its design until they were hopelessly ensnared.

General Mahone, in the meantime, blinded and deluded his followers by the strongest protestations of loyalty to Democracy, and opposition to Republicanism.

A Republican convention was held and a Republican electoral ticket appointed. It was charged that that was done at Mahone's instigation.

He denied this in most emphatic terms, declaring with an oath, "The vote of Virginia shall *never be given to Garfield!*" I believed him to be sincere.

He heard that many Readjusters, fearing that two Democratic electoral tickets might so divide the Democratic vote as to give the Republican electoral ticket a plurality, were contemplating voting for the electors appointed by the May convention. To dispel this fear, or to *prevent their so voting*, he published the following:

"Committee Rooms, "Readjuster Organization, "Richmond, Va., Oct. 28, 1880.

"Let me assure you, as I do confidently, that our electoral ticket, headed by Cameron and 192 Riddleberger, and pledged to Hancock, will carry the State by a plurality of 25,000: that it will beat either the Funder or Gripsack ticket by this vote—not less. Rely on this.

(Signed) “ William Mahone. ”

I did not, and *could not*, doubt General Mahone's Democracy after such public declarations as these, in addition to those made to me privately. When he was so sharply criticised by Senator Hill in the United States Senate—too sharply, I thought—and retorted that he was a “better Democrat than the Senator from Georgia,” and added, “I want the gentleman to know henceforth and forever that here is a man, sir, that dares stand up and speak for himself in all matters without regard to caucus,” I applauded his independence.

I little thought that he that thus proclaimed his independence of caucus rule was seeking to bind others to obey the most ignominious caucus rules ever framed.

193

### **CHAPTER XVII READJUSTER GUBERNATORIAL CONVENTION**

A Readjuster convention was called to nominate candidates for Governor, Lieutenant-Governor, and Attorney-General. It was to meet in Richmond on June 2, 1881.

Some time before it was to be held General Mahone sent for me. The interview between us surprised and shocked me. It completely changed my opinion of him; and this was the last interview we ever had.

Col. William E. Cameron, Capt. John S. Wise, and I were candidates for the gubernatorial nomination.

General Mahone introduced the subject that he wished to discuss with me by saying: “To my utter surprise, Billy Cameron has aspirations for the governorship! What has he ever done to entitle him to it? When you, sir, were canvassing the whole State almost solitary and alone, at your own charges, he couldn't be got to canvass a single county. It will be time enough for him sixteen years hence, if ever. And there is Johnny Wise. He's got such notions in his head: but Johnny is a good little fellow, and we can mighty easily dispose of

## Library of Congress

him. The matter is so generally understood over the State that if the people are let alone they will send a solid delegation: there will be but one name before the convention, and you'll be nominated by acclamation."

194

Then dropping his voice, looking me directly in the eyes, and leaning forward, he said: "But these men have promised me upon their sacred honor that they will stand by me, they don't care *what I do*, and will go with me, they don't care *where I go*. "

I was surprised and shocked! It at once flashed upon me that General Mahone was going to do something and take some step inconsistent with his past professions.

I looked at him as earnestly as he did at me, and said: "General Mahone, I hope you are not going to do anything I can't approve, and that you are not going anywhere that I can't go, but that is a promise I make no man. I'm going with you just so far as I think you are *right*, and no further: and I shall always claim the right to think, to speak, and to act for myself."

This was the last interview we ever had. I lost confidence in him, and he, finding he could not use me for his personal ends, had no further use for me.

Soon after this interview Judge N. B. Meade, of Alexandria, informed me that by the direction of General Mahone, "Jersey Jones" had telegraphed to General Groner, of Norfolk, to go to Washington to see General Mahone; that General Mahone told General Groner to become a candidate for Governor, and regardless of cost to secure one hundred delegates to the gubernatorial convention that had been instructed for me.

General Mahone had acquired and exercised almost autocratic power over a large portion of the Readjuster party.

195

## Library of Congress

His plan, as stated by Judge Meade, was to prevent my nomination on the first ballot; then when Colonel Cameron's friends and mine became pitted against one another, as he supposed they would, to have Riddleberger nominated for Governor and Groner for Lieutenant-Governor. At the next election for United States Senator Riddleberger was to be elected to the Senate, and Groner to become Governor.

Another part of the programme was to get as many of my delegates as he could to give John S. Wise "complimentary votes." The Richmond delegation, which was for me, was induced to do this on the first ballot. When the second ballot was being taken, and those who had given "complimentary votes" to Wise commenced voting for me, and it seemed apparent that I would be nominated, a Mr. Lindsay, of Norfolk, nominated Riddleberger. But this met with very little encouragement. Dr. Richard A. Wise then nominated General Mahone. This received but slight signs of approval, and a motion was then made, and *pronounced* carried, to adjourn.

The next morning when the convention met, a delegate from Bedford County informed me that he had "pooled" forty votes which should all be cast for me if I would give them ten dollars apiece. My indignation was thoroughly aroused.

I said to him: "You are a disgrace to humanity, and ought to be kicked out of Richmond! The time was when white men sold negroes! Now you come and propose to sell white men for the pitiful sum of ten dollars!"

My headquarters were at Sanger's Hall, and the convention was being held in the theatre near by.

196

My friends numbering from 350 to 400, seeing the trickery that was being practiced, left the convention and went to my headquarters, declaring they would nominate me or break up the convention.

## Library of Congress

I said to them: "You are excited. I am not. As you have shown such confidence in me as to wish to make me your Governor, I hope you will now listen to me, and go with me into the convention."

I had not been in. When I went in the noise and confusion were indescribable. I went upon the stage, and as soon as order could be restored I said to the convention:

"I am but a man, subject to like passions as other men, and if I should, under the excitement of the moment, say indiscreet things, you must bear with me. I do not think, however, that I shall say anything that ought not to be said. You are excited. I am as calm as a May morning. One evidence that Solomon gave of his wisdom was when two women went to him with a dead and a living child. Each claimed that the living child was hers, and the dead child was the other woman's. Solomon said, ' *This* woman says the living child is hers and the dead child is the other woman's: and *that* woman says the living child is hers, and the dead child the other woman's. How can I tell? Bring me a sword and divide both the dead and the living child in half and give half to the one and half to the other.' The spurious claimant said, 'Let it be neither mine nor thine, but divide it.' The true mother said, 'Give her the living child and in no wise slay it.' Solomon said, 'Give her the 197 child: she is the mother of it.' I suppose no one will deny that Readjustment is *my child, my bantling*. I brought it into existence, I nursed it in its infancy, I trained it in its youth, I counselled it in its manhood, and I am not willing to see it killed in its maturity. Give all to the other man! I ask my friends to vote for Cameron."

They did so, and he was nominated.

As soon as the convention was over, General Mahone was busily trying to convince my friends that he wished me to be nominated—said I deserved and ought to have received the nomination, that I had been badly treated, etc.

The Richmond *Whig* of July 8, 1881, said:

"We have heretofore noticed Mr. Massey's graceful and patriotic course in the convention to secure harmonious acceptance of the nomination of Colonel Cameron by which his own nomination was defeated.

"It was truly a noble spirit which impelled him to forego his own disappointment in that moment of excitement and passion, and to remember nothing but the great cause for which he had long manifested untiring zeal and limitless devotion. Not only was his course in that crisis grand, but his eloquent speech was equal to the highest demands of the occasion, and penetrated the vast assembly before him with its convincing and persuasive power. Never before had Mr. Massey risen to a greater height, and never did he perform an act which so endeared him to his party, and so elevated him in its respect and esteem.

198

"Services so great as his, abilities so various and conspicuous, associated with so magnanimous a temper, will never be forgotten or undervalued, and cannot but be fully recognized and rewarded."

Later, when I defeated Mahone's measures, this same *Whig* spoke of me as "that miserable old political tramp."

199

### CHAPTER XVIII THE MAHONE PLEDGE

The sickness and death of two of my children prevented me from active participation in the gubernatorial canvass very early. When I did enter the canvass I found new evidences of Mahone's trickery.

He was sending assessments to all office-holders under the name of *requests* from the Executive Committee, such as the following:



## Library of Congress

"By the Executive Committee you are requested to contribute to our campaign fund *ten* dollars for the purpose of the pending canvass of the Readjuster party. If you will, please remit this sum by check or money postal order to C. C. Clarke, Treasurer, Richmond, Virginia, and you are requested so to do on or before the 20th of this month; and at the time of making this remittance you will please notify the undersigned on the *back of this sheet*.

(Signed) "Wm. Mahone, "Chairman."

General Mahone generally kept himself behind the screen and acted through others. Wishing to have no evidences of his doings in the hands of others he was careful to have answers to his demands written "on the back of this sheet." That would insure the return to him of his demand on the paper sent out, and prevent its being seen by others.

200

When I was at Judge Lybrook's, in Patrick County, the Judge showed me two pledges that had been sent him. He expressed indignation at receiving them, and was about to throw them into the fire. I asked him to give them to me and he did so. I have them yet. They are as follows:

"Patrick County, Va., 1881.

"I hereby pledge myself to stand by the Readjuster party and platform, and to go into caucus with the Readjuster members of the legislature, and vote for all measures, nominees, and candidates to be elected by the legislature that meets in Richmond, as the caucus may agree upon. Given under my hand and seal this — day of September, A. D. 1881."

These pledges were accompanied by the following letter:

"U. S. Internal Revenue Collector's Office, "District, Virginia.

## Library of Congress

"Danville, Sept. 14, 1881.

" Dear Judge: I send you herewith two 'pledges,' to sign one, and have the party nominee for your county sign the other one, and return to me, and I will forward them to General Mahone, who directs me to do this.

(Signed) " Fernald. "

There were one hundred and forty members of the legislature. Eighty of these were Readjusters and sixty were Funders. The united vote of the Readjusters could pass any measure they wished. Forty-one members of the "caucus" 201 could, under the "Mahone Pledge," bind the eighty. So that if forty-one members voted for any measure in caucus, its passage was insured no matter how obnoxious it might be to the other thirty-nine Readjusters and the sixty Funders. Thus, less than one-third of the members of the legislature could control its action in all matters.

These movements indicated General Mahone's purposes, but the most astounding developments had yet to be made.

"American Politics," published by Thomas V. Cooper, chairman of the Republican party of Pennsylvania, says, on page 263: "In the Presidential campaign of 1880 the Readjusters supported General Hancock, but on a separate electoral ticket, while the Republicans supported Garfield on an electoral ticket of their own selection. This division was pursuant to an understanding, and at the time thought advisable by Mahone, who, if his electors won, would go for Hancock or not, as circumstances might suggest, while, if he failed, the Republicans might profit by the separation.

"The Readjuster movement at first had no other than local designs, but about the time of its organization there was a great desire on the part of leading Republicans to break the solid South, and every possible expedient to that end was suggested. It was solid for the

## Library of Congress

Democratic party, and, standing thus, could, with the aid of New York, Indiana, and New Jersey (then all Democratic States) assure the election of a Democratic President.”

Then, after stating that one of the favorite objects of President Hayes was to break the solid 202 South; and how he tried to break it by conciliatory speeches, and then by putting Mr. Key into the Cabinet; and how that scheme was a flat failure, Mr. Cooper adds: “The next and most quiet and effectual effort was made by General Simon Cameron. . . . He started on a brief Southern tour, ostensibly for health and enjoyment, but really to meet General Mahone, his leading Readjuster friends, and the leading Republicans. Conferences were held, and the union of the two forces was made to embrace national objects. This was in the fall of 1879. Not long thereafter General Mahone consulted with Senator J. Don Cameron, who was, of course, familiar with his father's movements, and he actively devised and carried out schemes to aid the new combination by which the solid South was to be broken.”

A part of the Mahone-J. Don Cameron scheme is thus stated by Mr. Cooper:

“In the great State campaign of 1881 when the Bourbon and anti-Bourbon candidates for Governor were stumping the State, General Mahone found that a large portion of his colored friends were handicapped by their inability to pay the taxes imposed upon them by the laws of Virginia, and this threatened defeat. He sought aid from the National administration.

“President Garfield favored the combination as did Secretary Windom. Secretary Blaine withheld his support for several months, finally, however, acceding to the wishes of the President and most of the Cabinet.

“Adverse influences caused the abandonment of a straightout Republican movement, organized 203 by Congressman Jorgenson and others, and a movement which at the time threatened a disastrous division was overcome.

“The tax question remained, and this was first met by Senator J. Don Cameron, who, while summering at Manhattan Island, was really daily engaged in New York City raising funds for Mahone with which to pay their taxes. Still this was insufficient; and in the heat of the battle the revenue officers throughout the United States were asked to contribute.”

These statements would be incredible if General Mahone had not proved their correctness by his subsequent course. No one likes to find that he has been grossly deceived by one he had trusted; but I am thankful that I was kept ignorant of these treacherous movements—that Mahone had too good an opinion of my integrity and Democracy to confide such treachery to me.

A majority of the members elected to the legislature in 1881 went to Richmond pledgebound. They had allowed General Mahone to lock his collar around their necks and hold the key. They found when they met in caucus that rules had been prepared for their government. These rules were hastily read by Gen. Wyatt M. Elliot, and the members requested to sign them. No one was ever allowed to have a copy of these rules, and but few understood them. I saw them but once. They were then held by the chairman of the caucus, who allowed me to see but a part of them; hence I cannot give a full statement of them, but I think I can state correctly the import, though not the language, of their most salient provisions.

204

These rules assigned to the respective congressional districts the various offices that were to be filled by the legislature. No one but a citizen of the district could be nominated for any office assigned to it. Only Readjuster members *from the district* could propose the candidates to be nominated for office in their district. All clerks of the various offices were to be selected and appointed by the caucus. All candidates for nomination were required to give a written pledge to be governed by these rules.

How these rules worked: The office of Superintendent of Public Instruction, one of the most important offices to be filled, was assigned to the 8th Congressional District. There were but three Readjusters in the legislature from that district. One of the three was nominated by the two others. That insured his nomination by the caucus and election by the legislature. The man thus selected possessed good executive ability, but was deficient in education and was profane.

The office of Auditor of Public Accounts was assigned to my district—the 7th. This was thought to insure my reelection; but was a plan of Mahone's to blind my friends and ultimately to create the impression that I declined re-election. He knew that I would not accept office upon the conditions imposed by the caucus rules. He knew, also, that if the Democratic Readjusters understood that he was seeking to prevent my re-election they would revolt against his authority; hence he had planned to do by indirection and deception what he dared not openly avow his purpose to do.

205

It had been the uniform custom of the legislature to elect the Auditor very soon after assembling. But it was postponed for about two months. When their plans were completed the members from the 7th district, headed by Riddleberger, visited my office and informed me that they were anxious to nominate me for re-election, but that I would have to give a written pledge to submit to the caucus rules before they could do so. I had not then seen these rules, and I asked for a copy of them. I was told I could see them but could not have a copy. Thereupon the chairman of the caucus allowed me to see a part of them, he holding them firmly while I did so.

After understanding their import, I said: "It was my wish and expectation to be re-elected, as it was the wish and expectation of the people generally; but I would sooner make my living by plowing a stumpy new ground with a fiery horse than I would so sacrifice my self-respect and violate the law as to accept office upon such conditions!"

## Library of Congress

This gave Mahone's minions a pretext for publishing that: "Mr. Massey declined to accept the nomination of the Readjuster caucus."

I did decline it upon Mahone's terms.

The term for which I had been elected expired on the first day of January, but, as the election of Auditor had been deferred, I continued in office until March, under the law continuing the incumbent in office until his successor was elected and qualified.

It was apparent that General Mahone wished to get entire control of Virginia by having in office those only who would implicitly and unquestionably obey his orders, which were usually given as respectful "requests."

The legislative and judicial departments were mainly filled by men of his own selection, and were perfectly subservient to him, but he could not control the executive department.

His first test of the submissiveness of the Auditor of Public Accounts was to assess him and all his clerks ten per cent. of their salaries and to "respectfully ask that you will contribute these sums to our Campaign Fund."

Col. F. G. Ruffin was a clerk in the Treasurer's office, and we conferred about it. The result of our conference was that we "respectfully declined to be assessed."

General Mahone's next test of the Auditor's submissiveness to his orders, sugar-coated as "requests," was in connection with the appointment of collectors of delinquent taxes.

The law made it the duty of the Auditor of Public Accounts to appoint collectors of personal property and capitation taxes, returned "delinquent" within sixty days, or as soon thereafter as practicable, after receiving them. This delay of sixty days was to give the Auditor time to have these lists examined, corrected, and credited to the treasurers that returned them.

## Library of Congress

Until this was done no one had the right to collect these taxes. I complied strictly with both the letter and the spirit of this law.

General Mahone “respectfully requested” me to sign and issue tax receipts, blank as to the name of the tax-payer, and to take all that might be returned after the election. I “respectfully” but positively declined to do this. I held that the capitation tax of any one that had been returned 207 delinquent could be paid by himself, or any one else, to the Auditor, his tax collector, or the clerk of the county or city, but that no receipt could go from my office until one dollar and five cents had been paid for it, and that no receipt that went from it could ever be returned to it.

General Mahone, finding he could not control my office while I was at its head, and knowing he could not prevent my re-election by open and manly opposition to it, made my re-election dependent upon terms and conditions that he knew I would not consent to, and thus give plausibility to the claim that “Mr. Massey declined nomination for re-election.”

Long before it was generally known that Mahone had determined that I should be defeated he had found a man as well suited to his purpose as if he had been made expressly for it. One indispensable requisite for offices which Mahone filled or controlled was perfect subservience to him. His followers had to put their conscience in his keeping and say, “Lead on, Master, I will follow you!”

Before retiring from office I requested the legislature to appont a committee to examine the books and business of the office. Their report was very complimentary.

On the 6th of February, 1882, I published the following:

“To the Editor of the *Dispatch*:

“I again ask the privilege of speaking through your columns with the hope of reaching some of my Readjuster friends.

## Library of Congress

"The *Whig* is laboring zealously to make its 208 readers believe that I and those who approve my position have left the Readjuster party. If that be true the party has lost four-fifths of its numbers and nine-tenths of its intellectual and moral power. I have not the slightest doubt that at least those proportions of the party believe my course to be right. Many of the best and truest members of the legislature believe the 'caucus rule' wrong. They wish it had never been agreed to. Their only trouble is that, having once agreed to that wrong, they are in some way bound to persist in it. They fear that to recede from their wrong position and take a right one will endanger the party. They admit the principle I am contending for is right, yet insist I must recede from it to save the party. The argument amounts to this, 'If the caucus changes from wrong to right it will destroy the Readjuster party; but if I will change from right to wrong it will save it.' No party ought to live, and none could long survive, whose life depended upon adherence to such unreasonable and unbusiness-like rules—so radically wrong in theory and so dangerous in practice. The Readjuster party stands on ground too firm to be thus easily overturned or destroyed by the unwise ruling of a few of its members, dictated to them by a pseudo-leader. The throne—the caucus and the unseen hand which controls it—may and will totter; but the people—the power behind the throne—will plant themselves still more firmly upon the principles which hold them together. The spirit of liberty and liberalism was not born to die so soon or so ignominiously. The Readjuster party never imagined that liberalism meant absolute rule for General Mahone and his 209 minions and complete vassalage for everybody else. They never supposed the banner of liberalism was being used as a blind to enable designing men to rob them of their cherished rights, their independence, and their manhood, that they might secure for themselves the gratification of their vaulting ambition; and when they fully realize the fact that such has been the case their indignation will be deep, loud, and lasting.

"The *Whig*, its owner, and his minions have abandoned the fundamental principles of the Readjuster party. My friends and I stand firmly by them. Those who are more solicitous for soft places for themselves and their friends than they are for the welfare of the party and



the State may follow the dispensers of patronage and 'bend the supple hinges of the knee that thrift may follow fawning,' but four-fifths of the party will refuse to sell themselves for gain, and will stand to their principles."

210

### CHAPTER XIX THE BIG FOUR

The Readjusters had a majority of fourteen in the House of Delegates, and of six in the Senate. This was the case when the legislature convened in 1882. By their combined vote they could pass any measure they wished, or that General Mahone dictated through his caucus.

Before I became aware of General Mahone's designs I advised that no one should be appointed or elected to any office who was not capable and worthy; that but few laws should be passed, or amended; that there should be manifest necessity for every change made in the laws then in force, or for new ones enacted; that government expenses should, so far as possible, be reduced. I said if we took this course the people of Virginia would see that our object was to promote the best interests of the State, to relieve her of the misrule we had complained of, and not personal aggrandizement. This course I said would be best for all parties and render Readjuster administration permanent. By way of enforcing these suggestions I said if a farmer whose manager brings him in debt \$1000 annually exchanges him for one that puts \$1000 into his pocket annually, he will never discharge the new and replace the old manager.

But I soon found that the chief requisite for office was complete subservience to General Mahone. It became very apparent that General Mahone was seeking to get Virginia completely under his control.

He had bills prepared and passed by his caucus, which, if they had become laws, would have made him perfect master of Virginia's destiny. He left his place in the United States

## Library of Congress

Senate and went to Richmond to have these bills passed, and remained there nearly the whole time the legislature was in session.

There were four Senators who were not pledge-bound to Mahone. They were Samuel H. Newberry of Bland, Peyton G. Hale of Grayson, A. M. Lybrook of Patrick, and B. F. Williams of Nottoway County.

Senators Newberry and Hale were Democrats. Senators Lybrook and Williams were Republicans. All of them were my personal friends. It would be difficult to find four other men who were more unlike, or who had less in common, than these four.

After I talked over the situation with them individually, they concurred in the opinion that the passage of Mahone's measures would be damaging to the State and to her citizens; and they promised to co-operate with me in preventing the passage of those I opposed.

By voting with the anti-Mahoneites of the Senate these four could defeat any bill by a majority of one. These men became so conspicuous, and their votes were so important, that they were termed "The Big Four."

Most vigorous and persistent efforts were made by Mahone and his agents to break this combination. That I was able to hold them together against the means used to draw them from me seems, as I recall it, one of the most 212 wonderful achievements of my life. I was in daily dread for six weeks that all of them could not resist the pressure they had to bear. They and I were shadowed or followed everywhere we went; and every man that was seen in conversation with any of us was soon interviewed.

A spy was kept in a room opposite mine in the hotel in which I boarded to report every man that came to see me; and I did not, I am sure, average more than four hours' sleep in four-and-twenty for six weeks. Yet the whole "Big Four" stood firmly by me through all those dark days—among the darkest I ever experienced. I have been eulogized for having saved the State from degradation and ruin; but I could not have done it but for the co-

## Library of Congress

operation of the noble "Big Four." Each of them deserves to have a monument erected to his memory.

A lady who boarded at the same hotel that I did, and whose husband occupied a high position in the Mahone camp, rendered me valuable assistance by keeping me informed of the plans and movements of Mahone and his party. We sat at the table together, and she would talk to me while I was eating. Finding that we were closely watched, I requested her not to talk to *me*, but to inform the wife of a friend of mine of all she wished me to know, to let that lady tell her husband and to let him tell me. By this means I was kept well posted.

A little daughter of this lady said to me, "Mr. Massey, folks don't do nothing but talk about you."

"What do they say, my little darling?" I asked.

213

"The mens say ' *old Massey*, ' and the womens say ' *poor Massey*.'"

The damage to the State that Mahone's obnoxious measures would do alarmed all who understood their character and design; and I was urged to watch and to prevent their passage. I have now before me letters from three Virginia Congressmen soliciting me to do so.

Honorable George D. Wise wrote me April 5, 1882:

"In consulting with various gentlemen (Readjusters and others) we all came to the conclusion that you could defeat a great deal of obnoxious legislation.

"You are aware that it is the purpose of General Mahone to make himself the master of the situation, and then to rule with an iron rule. His control of the patronage depends upon his ability to bind us hand and foot, and hand us over to the Republican party. That is a part of his game, as you understand as well as I do. We have unhappily been divided on local

## Library of Congress

issues, but there are staunch, firm Readjuster Democrats who do not want, I feel sure, to make Virginia Republican. I feel confident that *you* are one of that number, and you can do more than any other man to accomplish the defeat of Mahone's schemes. The issues which divided us have been settled, and they will not trouble us again. I was requested to have you seen, and urge upon you the great importance of your being in Richmond. You can determine how far you can go to accomplish the desired results. I regard this the crisis. I give you the assurance that you will not be opposed in your views <sup>214</sup> as to Readjustment, and that your wishes will be consulted in all that shall be done. I would not ask you to do anything against your convictions.

"Divisions on local issues ought to be abandoned, and Conservative Democrats ought to be re-united. You can do more in that direction than any other man within her borders.

"I have read the report of your speech in Charlottesville, in which you said that you were a Readjuster, but that you were a Virginian and a Democrat before you became a Readjuster. I believe you can do more for Virginia than any other son, and you may rest assured that warm hearts and true friends will rally around you."

Honorable John S. Barbour wrote me on the same day, April 5, 1882:

"I have been shown a letter addressed to you by Honorable George D. Wise, and desire to add my solicitation to his that you prevent, if possible, the wild legislation which has been initiated; and which I regard as very injurious to the State from every standpoint.

"I have not much time to write as the train is about to leave. I said to Wise that you were doing for Virginia what no other man could do; that you were not in office now; and that your expenses ought to be borne by others; and that I would ask you to allow me to provide these personally, which I hope you will do."

I replied to these letters:

"If circumstances have placed me in position 215 to do for Virginia, as you say, what no other man can do, I am amply rewarded by the conviction that I am performing a sacred duty to my State and to my fellow-citizens. I appreciate your kind offer, and your flattering opinion of my services, but you must allow me most respectfully to decline your offer to provide for my expenses. To allow this would greatly lessen the pleasure I feel in serving my State from a sense of duty, without any expectation of fee or reward."

216

### **CHAPTER XX MAHONE'S CAUCUS MEASURES**

I am not able to recall all the bills that were agreed to in caucus, or their consecutive order.

The following are some of them: Bills to remove the Board of Visitors of the University of Virginia; of the Virginia Military Institute; of the Medical College; of the Institution for the Deaf, Dumb, and Blind; of Blacksburg Agricultural and Mechanical College; of all the Lunatic Asylums; of all county and city School Superintendents; of all School Trustees; of all Notaries Public; of all Commissioners in Chancery. The places to be thus made vacant were to be filled by Mahoneites.

Mahoneite county judges had been elected. Some of these were good and worthy men, and fair judges; others were both incompetent and unworthy.

The judge in one county was a notorious gambler, who, it was alleged, had some kind of contrivance, called a "lizard," concealed in his clothes, containing a pack of cards, from which he could draw while playing. This "Lizard Judge," as he was generally called, was indicted by the grand jury of his own court for gambling at an ordinary. The law imposes a fine of \$30 upon any person convicted of gambling "at any ordinary, race-field, or other public place." This judge got another judge to preside at his trial, who ruled that the indictment only charged 217 with gambling at an "ordinary," and that the law said "an ordinary race-field," that the indictment was therefore faulty and must be dismissed!

## Library of Congress

Other Mahone caucus measures were a bill to rearrange the judicial circuits so as to legislate all circuit judges out of office, and a bill to redistrict the State for the election of Congressmen. The judges' places were to be filled by selections of the caucus.

The Richmond *Whig* of April 10, 1882, anticipating the passage of the bill to redistrict the State for the election of Congressmen, said:

“The bill to reapportion the State for members of Congress passed the House of Delegates on Saturday by a very decided vote—every Readjuster present voting for it. It is a party measure—a strictly party measure—and as no Bourbon voted for it, so no Readjuster voted against it. The objects aimed at are larger, deeper, broader than any arising from sectional and personal considerations—the main purpose being to use the occasion to give the fullest effect to our available strength in selecting members of Congress.

“We avow this frankly.

“What is the result of this scheme of apportionment? It assures the election next November of *eight administration members of Congress*, and allows the Bourbon-Funders to elect two members *in opposition to the administration*. We regret that the Bourbon-Funders are allowed so many under the plan; but it is the best that can be done, and we are content.

“Already we have at Washington two Senators 218 and two Representatives who stand firmly and cordially by President Arthur; and under this bill, if it pass the Senate, our liberal forces will send to Washington *six more* supporters of the Federal administration than we now have. To intrench and further it the present apportionment bill is avowedly framed — *to elect eight Congressmen* out of ten who shall be *committed and pledged to support President Arthur and his administration*. ”

This same paper, General Mahone's mouthpiece, had said but a short time before:

## Library of Congress

“We insist that General Mahone, John E. Massey, Col. Fulkerson, General Elliot, and others are to-day, indeed, always have been, as good and true Democrats as General Hunton, General Beale, Senator Johnston *et id omne genus*. The people of Virginia understand this, and some of our representatives in Congress will be taught the lesson ere long, when the Old Dominion will send a delegation to Washington—not Funders, but true Conservative Readjusters—as firm Democrats as can be found in the State or out of it.”

Another caucus measure was a bill to create the office of Commissioner of Sales. A Commissioner of Sales was to be appointed in each county and city of the State who should have exclusive right to sell all property sold under judicial proceedings. Parties litigant, even in friendly suits, could not choose their own commissioners. Selections for these offices had been 219 made in many counties and cities in anticipation of the passage of this bill. Many of them would have made good receivers, but poor disbursers. Their offices would have been very lucrative. Naturally these men became the inveterate enemies of those that defeated the bill.

Another caucus measure was a bill to establish an official newspaper in each county and city of the State, and to require all official notices, sales, and proceedings, requiring publications, in their respective counties and cities, to be given them for publication. This would have established a subsidized Mahone organ in each county and city of the State.

Another caucus measure was a bill to create the office of Railroad Commissioners, to be filled by three men appointed by the Governor. These Commissioners were to have authority to remove any officer, or employee, of all railroads in Virginia whenever *they* saw cause for doing so. A copy of this bill was to be posted in every passenger car that ran in Virginia. This was practically to notify all railroad officers and employees that they held their places by suffrage of General Mahone. Upon the introduction of this bill I was appealed to to oppose it. I assured those thus appealing that so soon as it was introduced

## Library of Congress

I resolved that it should not pass so long as I held the balance of power. Upon its defeat I received complimentary passes from railroad companies over roads I have never seen.

These caucus measures were introduced by different members, and one at a time. They were defeated by "The Big Four." If they had become laws Virginia would not only have been 220 made irretrievably Republican; but Mahone would have been vested with autocratic power in, and over, her.

None but those who were engaged in this deadly conflict have, or *can have*, full appreciation of the fate of Virginia which was suspended upon its result. From my heart I thank God that He made me instrumental in averting such dire degradation, humiliation, and ruin from her.

221

### CHAPTER XXI "MASSEY ON MAHONE."

*" Another Ringing Philippic from the Plain-spoken Parson.*

*" The 'Boss' and His Methods Severely Excoriated.*

" Palmyra, Va., May 21.—The Hon. John E. Massey addressed a large assemblage of the citizens of Fluvanna County to-day. The court-house was full, although but short notice had been given of Mr. Massey's intention to speak in this hot-bed of Readjusterism. It was charged by Senator Mahone's subservient Richmond organ, the *Whig*, that Mr. Massey would only speak in Funder counties. To this charge the Parson gave a satisfactory quietus this evening, by enlightening upon various public topics a highly appreciative assembly of the yeomanry of 'Old Flu,' composed about equally of Funders and Readjusters.

"His speech was very clear and forcible, occupying just two hours in its delivery and was highly approved and indorsed by nearly all who heard it. Mr. Massey has always been a



## Library of Congress

great favorite of the people of Fluvanna, and is more popular with them to-day than ever before.

“He commenced his speech without any formal introduction, saying that he preferred to have no introduction to the people of Fluvanna; 222 he had been too fully indorsed by them for the highest office in their gift to doubt their respect for, and confidence in, him. He appeared before them under different circumstances from those under which he last addressed them. Then he was advocating certain measures and was speaking in behalf of a united party. There had since been unpleasant complications and contentions. It was but natural that they should desire to know their origin and cause. He desired to explain them fairly, impartially, and as fully as he could in a single address.

“Mr. Massey said he thought he could justly claim that no one had better right to speak for the Readjuster party than he had. When the party was in its infancy no one denied his right to bear all the odium and abuse which could be hurled at him by its opponents, and now, if there were any honor attached to its success, he ought to be permitted to share it. Instead of this, however, he was more bitterly denounced by some of those with whom he had recently cooperated than he had ever been by the opposite party. He had been charged with ‘treason,’ called an ‘apostate,’ compared to Benedict Arnold, to Judas Iscariot, and to Guiteau. Similar sweet epithets had been used with reference to his friends in the Senate, who had gained the title of ‘Big Four,’ who had placed the people of Virginia under imperishable obligations to them, who will be embalmed in the affections of their countrymen and live in history, surrounded by a halo of glory, while those who denounce them—Mahone, his satellites, and henchmen—will be forgotten or remembered only with feelings of detestation. Why, Mr. Massey asked, 223 were he and these men thus assailed? What had they done, or what had they failed to do, which justified such foul charges and denunciations?

“‘A contract,’ Mr. Massey said, ‘is an agreement between the contracting parties either to do, or to abstain from doing, certain stipulated things. When one of the contracting

## Library of Congress

parties does all he contracted to do, the other party has no further claim upon him, and cannot justly charge him with want of fidelity because he fails or refuses to do more than he contracted to do. What did the Readjusters promise the people to do?

“First. To settle the State debt upon certain principles.

“Second. To place the public free schools upon a safe and permanent basis.

“Third. To remove from the Constitution the restriction upon the right of suffrage which requires a man to pay his capitation tax before he can vote.

“Fourth. To abolish ring, clique, and boss rule, and so to liberalize public sentiment as to secure to all equal freedom of thought, speech, and action.

“Have these promises been fulfilled? The Woodstock *Virginian* (Mr. Riddleberger's paper), after enumerating with seeming exultation what the Readjusters had done, says: Certainly nothing failed that the platform promised. The *Whig*, which I used to think good authority, and still do, when it tells the truth, says: The Readjusters have passed every measure to which they were ever formally pledged, and *more*; they have fulfilled every promise, 224 and *more*; they have redeemed every pledge, and *more*.

“Now, if these witnesses tell the truth what justification have they for the foul charges they publish against “Massey & Co.?” Each one of the “Big Four” voted for every measure these witnesses boast of having passed, and no one of these measures could have been passed if they had voted against them.

“I do not claim that our promises to the people were all complied with. We promised them, and I meant to fulfil it, that the war interest upon the State debt should be eliminated from it in any settlement which might be made. This was *not* done. We promised that whatever bill might be passed for its settlement should be submitted to the people for their approval or rejection before it should become a law. This was not done. Why were these

## Library of Congress

pledges violated? I cannot answer this question positively. I am glad that the cause of these violations of plighted faith, and all the trickery connected with them, were kept from me. There are men, however, who believe that those who were manipulating and shaping legislation upon these matters were speculating in State bonds, and hoped, by having these bills to take effect from their passage, that the present Court of Appeals would act upon them and pronounce them unconstitutional, and thus give them another opportunity for speculation. However this may have been, and although these bills were not in all respects what I wished, I sincerely hope they may be sustained and the debt question forever settled.

“What was it that Mahone and his pimps wished to have done which was not done, and 225 which so aroused their malignity? Virtually to place bits in the mouths of the people, and the reins attached to those bits in his (Mahone's) hands, that he might drive them according to his will and pleasure, for the sole purpose of advancing his own personal interest, and the promotion of his own schemes and fortunes. This he proposed to do by getting control of all the offices which then existed, and creating others, and filling them with those who would yield unquestioning obedience to his orders.

“I enjoy the proud satisfaction of knowing that all parties give me credit for my management of the finances of the State and of all the business of the Auditor's office. My political opponents have declared that I was the best Auditor Virginia ever had. Yet Mahone wanted me out of office because he knew that so long as I was in it, it would be run in the interest of the State, and of all her people, and not in the special interest of Mahone and his satellites.

“He, Mahone, did not openly propose my removal, but sought to get control of the office by imposing conditions which, if accepted, would give him control of all who were in it. Does any man believe this was done in the interest of the State, or of the party? If so, let him explain why nearly all the clerks he appointed are still retained. The only explanation that can be given is that, so soon as I was out of the office, and one of

## Library of Congress

Mahone's subservients was put in, there was no need of putting his tools in the clerkship. He then had one at the head of the office.

“When the fight for the auditorship was going on, General Newberry offered a resolution 226 to amend the joint order for the election of certain judges by pressing that of auditor, and to proceed with them *seriatim*. This was voted down. Then General Newberry moved to adjourn, which motion prevailed, thus breaking the joint order, and producing the famous deadlock, which gave rise to the immortal Big Four.

“After this,’ continued Mr. Massey, ‘and all during the dead-lock I was charged with unlawfully obstructing the important business of State legislation. This was a false accusation made by swaggering Riddleberger, the little boss and spokesman of the big boss of great pretensions. I was a very good man and they wanted to make me auditor for a second term, but because I declined to go into, or be governed and led by, King Caucus, then I became the sum total of unworthiness, and all manner of imprecations were heaped on my head. And just here, my friends, let me say to you that a debt of gratitude is due to the Big Four by Virginia, and her faithful sons. They have won an imperishable fame which will shine brighter and brighter through coming years. They were tried and tempted as no men ever before were in a State legislature. Contrast these noble and incorruptible four gentlemen with their detractors! A crown of infamy decks the brow of those who are trying to grind down the Old Dominion into the dust and Virginians into abject slavery of bossism! [Applause.]

“The;boss objector was Riddleberger; he objected to anything being considered or acted upon in the way of legislation until the boss's party and pet measures were first passed, or votes taken on them: but was not the glowing 227 and fiery comb of the strutting game cock of the Shenandoah beautifully cut and his tail clipped short by the relentless shears of the Big Four? [Great laughter.] What taking off was there, my countrymen. [Renewed laughter.] This was a nice piece of economy, which suddenly burst in upon the brain of the boss, the removal of the eighteen circuit judges and the substitution of twelve others,

## Library of Congress

followers of, or workers for, the supremacy of the boss. Senator Hale, of the Big Four, in his circuit has a good and faithful judge, a man of purity and probity, and he kicked against turning him out.'

"Here Mr. Massey related the conversation of 'drunken Riddleberger' and 'dirty Jim Frazier' with Senator Hale and their 'make-believe-turning-out' of the judges. They just wanted to get into office their friends, and after a while the work would be found to be too much for them, and six others would be elected. 'Oh! that's the game,' said Hale. 'Well, you may just go to—where the woodbine twineth!' [Great laughter.]

"[Note—What Major Hale said to Riddleberger and Frazier in the Senate was to 'go to hell!' but of course Parson Massey could not repeat such strong Saxon; but his auditory 'took in the situation.']

"Mr. Massey then gave his conception of the proper qualifications of a judge—that none but good and true men should be on the bench to mete out judgment and righteousness to the people. He was a strong party man, and other things being equal, he would, of course, give the offices to his friends. He had been censured in this matter by his party in opposition to it and 228 in the election of Judge Christian, of the Hustings Court of Richmond, for whom he voted. He was a lawyer himself in his earlier days, and had a great liking for the profession. Even now, when he entered a court-house and heard two lawyers sparring away, he felt like an old war-horse, and became eager for the fray again.

"At this point Mr. Massey proceeded to scarify General Mahone for his recent vote in the Senate to place a stigma upon Southern soldiers, his compatriots in arms. Mr. Massey related the strong tie of fellowship that existed between soldier and soldier; how they used to sit around camp-fires and tell their tales of war, of their escapes, and of the cutting down of brothers and companions beside them amidst the smoke and fire in fields of dreadful carnage; how they stood shoulder to shoulder in many a bloody contest, and of the laurels they won. This was something to try men's souls—to show the kind of stuff they were

## Library of Congress

made of. In all this companionship of arms there was a union of hearts and a union of souls, something not equaled even by the mystic bond in the brotherhood of masonry—ties that were sealed with fire and blood upon the field of glorious victory or sometimes woeful disaster.

“There remained but one man in the world to astonish mankind and insult manhood. That man was William Mahone. He was an ingrate and so confessed himself when he stood up in the Senate of the United States in the name of Old Virginia and voted to degrade so many of her brave sons, who had fought and bled for her, and of whom the bones of so many thousands lie pillowed on her bosom in the sleep that knows no waking. [Applause.] General William Mahone, of Virginia, was the only man who had turned his back on his brother soldiers. [Sensation and groans.]

“‘You have all heard of the Commissioner of Sales Bill,’ continued Mr. Massey. ‘It was a bill whereby your property or mine could be sold under a decree of the court, if we ever became so unfortunate, and we could not have any say in the matter to protect our own interests. It was one which gave the boss supreme control, somewhat after the manner in which the school-teacher proved he ruled the town or country. A man disputing his authority inquired:

“‘How do you make that out?’

“‘Don't the men rule the country?’

“‘Yes.’

“‘Don't the women rule their husbands?’

“‘Yes.’

“‘Don't the children rule their mothers?’

## Library of Congress

“““Yes.”

“““Well, don't I *rule* the children?” [Laughter.]

“In like manner would General Mahone rule all the county commissioners and city commissioners through the State commissioner. This bill would have been passed and would have become a law had it not been for General Newberry of Bland County, leader of the Big Four, who introduced an amendment to the bill giving to the people the power to elect the Commissioner of Land Sales, which was adopted. But when the appointment of the commissioner was likely to become vested in the people General 230 Mahone and King Caucus ceased to take any further interest in the matter.

“When upon the motion of Senator Newberry the Senate so changed the bill as to allow the people of each community to elect their Commissioners of Sales, the Mahoneites refused to support and pass the bill. Why? Would he be less worthy and useful if elected by the people than if appointed by Mahone? Are the people less capable of selecting their officers than Mahone is of making the selection for them? None of these. The only reason was that if they were chosen by the people they would not be Mahone's tools or puppets with his collars around their necks and his bits in their mouths. Yet bear in mind he claims to be working in the interest of liberalism! O Liberty, Liberty, what acts of oppression have been perpetrated in thy name!

“Another scheme of self-aggrandizement,’ said Mr. Massey, ‘was the bill to declare the commissions of notaries public vacant throughout the State on the 1st of July next. These officers paid \$5 for their commissions and I believe were appointed every four years. But what had they done that they should thus be vacated? Nothing. Their great offence was that the large majority of them were not boot-licks of the big boss. Ha! it's a terrible sin not to be a Mahoneite.

## Library of Congress

“Another step in the same direction was to take from the courts the right to appoint their Commissioners in Chancery and Commissioners of Accounts, and place them in the hands of the Executive, who was in the hands of Mahone. Another despicable outrage was attempted to be perpetrated upon a worthy, intelligent, and influential class, the teachers in the public schools—those teaching the young idea how to shoot, and you had better believe that some day in the near future they will “shoot” Mr. William Mahone out of the ballot-box with paper bullets. [Applause.] This was a bill to take the appointing power out of the hands of your county judge, your commonwealth's attorney, and county superintendent of schools, and vest it in the powers that be in Richmond, of which Mahone was the boss. Now, I have every confidence in your county school boards, and can trust them in making and selecting worthy teachers for your public schools. But it is not the desire of the would-be satrap of Virginia that the county school boards should select and confer these positions. He wanted it so arranged that no lady or gentleman could receive an appointment who was not for him, or was obnoxious to him; and with the appointments removed to Richmond he could control every one of them, and dismiss at pleasure any man or poor girl who failed to do his servile bidding. This was liberalism with a vengeance.

“I was condemned by this boss traitor of Virginia for many things, with oaths and maledictions, and was to be crushed out of existence; and the Big Four were to be ground to powder. The result of these threats is that I am not yet *crushed*, and the Big Four still live; especially Senator Newberry, who appears to be giving a good living account of himself in Southwest Virginia. Concerning one of these four (Hale) one of Mahone's little bosses said as he passed along the street with a friend:

232

““We would like mightily to get his vote.”

“The friend asked: “Why, how is that? haven't you got Williams?”



## Library of Congress

““Not by a long ways; and as for Hale we don't want him—wouldn't give him h—I room after we got his vote.” [Laughter.]

“These were the very words the little boss used.

“One of the most outrageous measures introduced into the legislature was the Commissioner of Railroads Bill. What gave rise to that monstrous measure was the fact that Manager Fink, Superintendent Huger, and others of the Norfolk and Western Railroad gave offence to the Virginia boss, and he thereupon coolly made a demand on President Tyler for the removal or discharge of the offenders of his boss-ship, which insufferable arrogance was rejected with the scorn and contempt it merited. Just listen to one of the sections of this bill:

““That the said Commission shall have general supervisory control of the road, to whom matters of discourtesy by conductors, agents, and employees of railroad companies, matters of dereliction and accommodation at stations, proper lights and landings at stations where passenger trains stop during the night, shall be reported, and said Commission shall have full power to act in the premises; to order removal of said official; and to order such changes as will best secure the safety and accommodation of the public; and every railroad company shall post in a conspicuous place at each of its dépôts and stations, and in each of its passenger cars, a copy of this section; and the removal of any officer, agent or employee which the Commissioners 233 may require, shall be promptly made, or the company failing to comply with such requisition shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars for each refusal or non-compliance with such order of the Commissioners, to be recovered in the name of the State, in the manner hereinbefore provided for the recovery of other penalties named in this act.”

“If he wanted to regulate local freight and passenger tariffs, why didn't he introduce the Georgia railroad law or something like it to accomplish these ends. But that wasn't what

## Library of Congress

the Boss desired. He was aiming at putting every railroad in the State and every employee of a railroad under his control. Under such a bill, what capitalist would invest his money in the present or projected roads of the State? I want every cause of complaint tending to keep capital out of the State, and every vestige of sectional feeling, obliterated from within our borders.

“What made General Mahone sicker than any of his pet measures that were defeated was the reapportionment bill, redistricting the State into ten Congressional districts. Eight of these he bargained to hand over to Arthur's administration. The Boss put me in a big district shaped like a T. He thinks I am going to be a candidate for Congress. As to that I may, and I may not, be. If I could feel that I could in justice to myself and to the people of Virginia return home to-night and remain there without ever making another political speech, or ever again filling any political office, it would be one of the happiest days of my life. But I am going to make a canvass through the State, 234 if not as a candidate at least as a private citizen, in behalf of the people of the State. [Applause.]

“It has been promulgated by the satrap's Richmond mouth-piece that he and his henchmen were going to support President Arthur in return for what he had done for Virginia. I think President Garfield was one of the best and noblest of men. He, by his conservative views, proved himself a friend to Virginia and the entire South. Now, look ye on this picture and then on that. What has President Arthur done for the Old Dominion that she should support his radical administration? The Boss's Richmond organ says the State owes him a debt of gratitude for something or other. What for? What has he done for you, my friends, that you should give him your support? Has he reduced, or even recommended the reduction of the tax on tobacco? Has he lessened the tax on whiskey or on any of your productions? Now, where does the gratitude come in? I confess I am at a loss to see it. The *Whig* and its boss may go over to Arthur's Kitchen Cabinet if they choose, but what right has it or Mahone to declare that they are going to take you over, body and soul, to a radical Republican administration?

## Library of Congress

“My friends, what a spectacle was presented to your view at the capital city of your State last winter! A man whom you sent to the United States Senate, leaving his seat in that august body to come to Richmond and engage in lobbying measures through your legislature! And when he did come he never for once put up at a respectable hotel, but made his headquarters in 235 a gambling and drinking saloon on Bank Street. [Sensation. Applause.] Oh! the degradation to Virginia, you and me, that her banner from its high pennants should be thus lowered to trail in the dust. [Loud applause.] I am a Virginian and so were my forefathers way back to the fourth and fifth generation.’

“Mr. Massey brought his address to a close by declaring that Senator Mahone was now the worst enemy of Virginia she had ever produced. He then thanked his hearers for the patient, marked, and respectful attention they had given him. The questions he had discussed were as deeply interesting to them as to himself, and whatever conclusion they might arrive at he believed would be just and fair to him and to themselves.

“As their old Auditor made his bow and was leaving the stand, cries of ‘Go on, go on, Mr. Massey!’ were heard. His speech was delivered in fine style, was clear, logical, and convincing. It may be safely stated that could it have been heard by all the people of Virginia, Mahone would find his stock of ‘collars and bits’ much greater than the demand for them. At the conclusion of his speech, Mr. Massey's Readjuster friends congratulated him on his remarks, adding within hearing of your correspondent, ‘We believe you are right; we approve your course and will follow in your lead.’ At which the Parson smiled all over.

“Mr. A. J. Taylor, ex-sergeant-at-arms of the House of Delegates, and a Readjuster, informed your correspondent that ‘Mr. Massey would carry Fluvanna County against any man in the 236 State.’ An educated colored man, when questioned on the subject, said that some of the colored Republicans would also vote for the Parson. The Baptist religion, moreover, has a strong hold on them, and Mr. Massey is a shining light in their church.”

## CHAPTER XXII CANDIDATE FOR CONGRESSMAN-AT-LARGE

In July, 1882, I was requested to meet some friends in Washington city. Upon my arrival I found a carriage waiting to take me to the residence of Hon. John S. Barbour. I found Hons. J. Randolph Tucker, John W. Daniel, George D. Wise, James Barbour, and others, there.

Their purpose was to get me to announce myself a candidate for Congressman-at-large from Virginia. I told them it was my desire and purpose to retire from public life, and there would be no better time to do so than that. I had left the auditorship with the respect and confidence of the people, or of the great body of them, of all parties; and I did not wish ever to be a candidate again for any office.

They said I was the only man who could unite all elements of the Democratic party, and make a successful race against Mahoneism; and urged me to do so. I asked time to consider, but they insisted that I should then and there announce myself.

They brought me paper, pen, and ink; and I, there, in Mr. Barbour's parlor, announced myself very briefly, stating that I would give my position more fully in a few days. In compliance with this promise I published the following:

"To the Voters of Virginia:

"Fellow-citizens: Virginia will be entitled to *ten* representatives in the next Congress of the United States. As there are but *nine* congressional districts in the State, one Congressman will be elected from the 'State at large.'

## Library of Congress

"In response to numerous calls from men in different portions of the State, for whose opinions and wishes I have great respect, I have announced myself a candidate for that position.

"I think you know me sufficiently well to believe me sincere when I assure you that, if I were to be governed alone by my own feelings and preferences, I should never again be a candidate for any political office.

"I recognize the fact, however, that no ordinary personal considerations can justify any son of Virginia in declining to render any legitimate service which her welfare demands, when called upon to do so by his fellow-citizens and his own convictions of duty.

"I am, therefore, before you for your suffrages, and shall fully and gratefully appreciate your support.

"While, however, I shall highly appreciate your votes, I shall appreciate your confidence and respect still more highly.

"I could not expect to enjoy these if I were to obtain your votes by either misrepresenting to, or withholding from, you my opinions upon the questions involved in the approaching election.

"It is therefore due to both you and myself that I state clearly, yet as briefly as I can, my position.

"For several years past the settlement of the 239 State debt and other questions incidental to it have absorbed so much of the attention of the people of Virginia that they have given comparatively little attention to Federal affairs. These were not *political* questions. The most stalwart Democrats and the most stalwart Republicans divided and took directly opposite positions upon them. The men of each side were, no doubt, equally honest—each acting in accordance with their honest convictions of right. Neither Democrats nor

## Library of Congress

Republicans were less Democrats or less Republicans because of their being either Readjusters or Funders.

“The leaders of both the Readjuster party and the Funder party were Democrats; and each appealed to Republicans to co-operate with them in the settlement of the State debt and other questions of State policy, assuring them that by doing so they in nowise sacrificed their political affiliations or principles. These questions upon which both political parties were divided are now settled so far as legislation can settle them.

“The Richmond *Whig*, which was the organ of the Readjuster party, says: ‘The Readjusters have passed every measure to which they were formally pledged, and more. They have fulfilled every promise, and more. They have redeemed every pledge, and more.’

“The Woodstock *Virginian* says: ‘Certainly nothing failed that the platform promised.’

“The questions which separated men of the same political party from, and arrayed them against, one another, having been settled, no partition wall or dividing line stands between them.

240

“Neither the one nor the other should indulge in criminations or recriminations, but, forgetting all differences and unpleasantnesses which may ever have existed between them, should unite their counsels and combine their wisdom to determine upon that course which will most certainly save Virginia from the dangers that threaten her.

“We should aim to preserve for her that high and honorable position which she has ever held among her sister States, and, if possible, raise her still higher and crown her with still greater honor and prosperity.

## Library of Congress

"I need scarcely inform you, my fellow-citizens, that I first formulated and enunciated the principles of Readjustment, and that I have stood firmly and unswervingly by those principles at all times, in all places, and under all circumstances, from an honest conviction of right and duty. These facts are well known to all.

"I was, however, a Virginian and a Democrat before the question of Readjustment ever arose, and my advocacy of Readjustment never lessened my devotion to my State or changed my political principles.

"I have always conceded to those who differed with me the same right to think, speak, and act for themselves that I have claimed for myself, and have treated both them and their opinions courteously and respectfully. Yet my political position has been so well understood in my county and my district that I have never been a candidate for either the House of Delegates or the Senate without having a regular Republican ticket against me.

241

"I regret the necessity of thus speaking of myself, but should deem it unmanly to ask your support without giving you an honest and clear statement of my political position.

"The questions involved in the approaching contest are vital to your interests, rights, and liberties.

"It must be apparent to all observers of public matters that men who cared nothing for the principles of the Readjuster party, and never joined it until they saw in it the surest road to their own elevation to place and power, are now seeking to make merchandise of the State, which elevated them to their present positions, that they may still further enhance their power and increase their wealth.

## Library of Congress

“When Senator Hill and others criticised so severely what they supposed would be the course of General Mahone in the Senate of the United States before he had given a vote, I disapproved of their course and censured them for it.

“And when General Mahone repelled these attacks, declared he was a ‘better Democrat’ than his assailants, and asserted his independence of caucus dictation, I applauded him for it.

“I did not suppose it possible that he who had always boasted of his Democracy, and who had but a short time before sworn that the vote of Virginia should ‘never be cast for Garfield,’ had even then formed an alliance with the Republican party, and would soon after be devising a plan for handing the whole State over to Arthur in exchange for the Federal patronage of Virginia.

“I could not believe that any son of Virginia would thus degrade his grand old mother, if he 242 had not forced that belief upon me by the most indubitable evidence.

“Think of it, my fellow-citizens! Virginia, with all her past glory and renown!—with all her future hopes and prospects!—Virginia, the ‘Mother of States and of statesmen’!—you and I and our children!—all to be bartered for a few offices, to be filled with submissive tools that are willing to yield the most abject and servile obedience to autocratic rule for the trifling honors and emoluments of a paltry office! Was ever so noble a heritage sold for so poor a mess of pottage?

“But, my fellow-citizens, though the sale may be agreed upon, the transfer cannot be made without your consent. If you are unwilling to be made merchandise and delivered over to your purchaser, it cannot be done. The power and the right to exercise it are in your own hands. That you will exercise it wisely I cannot doubt.

“You may be told that the present Federal Administration is friendly to Virginia, and that this friendly disposition ought to be reciprocated. No one will more fully appreciate



kindness than I, or more readily reciprocate kind acts. But what has the Republican party of the North done for Virginia that places her under obligation to it? Are we to thank it for its protective tariff, which imposes a heavy tax on Virginians to enrich Northern manufacturers? Are we to admire it because it imposes a heavy tax upon the tobacco and whiskey and brandy which are raised and manufactured in Virginia? Shall we praise it for its odious internal-revenue system of taxation, which floods the State with Federal office-holders to annoy and vex our citizens and 243 fatten upon them? We must be blind to both our interests and our rights when we do.

“Let no one infer from what I have said that I charge General Mahone with having special admiration or kind feeling for a Republican. He cares not a fig for either a Republican or a Democrat farther than he can use him for his own benefit. If a man be a *Mahoneite*, he needs no other recommendation or qualification. This fits him for office, whether he be a Democrat or a Republican. If he be an anti-Mahoneite, it matters not how true, how honest, and how capable he may be, no other charge is necessary to insure his removal from office, though he may be filling it well, whether he be a Democrat or a Republican. Self is the controlling consideration! Under the flag of Democracy he is seeking to march Virginia into the camp of stalwart Republicanism for his own benefit. Under the banner of liberalism and opposition to rings and cliques he has inaugurated the most autocratic rule; he has displayed more intolerance of other men's rights of thought, speech, and action and required more servile submission to his will and authority, than was ever before witnessed among any free people. Under the popular cry of equal rights for all the people, and opposition to monopolies, he so shaped legislation that, but for the sagacity, the patriotism, the honesty, and the independence of the noble Big Four, equal rights would now be but an empty name, and the very term a mockery; and the aggregate power of all monopolies concentrated in his hands—a bit in each man's mouth while he held the reins and whip.

## Library of Congress

"Are Virginians ready for such humiliation and wrong? You have fought and bled in defence of your rights and your liberty. Will you now sit tamely by and see them taken from you without an effort to prevent it? Remember that 'peace hath her victories no less than war.' A grand but bloodless victory is within, your reach. Put forth your hands and grasp it. Your banner is now unfurled and floating proudly in the breeze. By the blessing of Him who rules the nations it shall never trail in dust, and never be furled until victory perches upon it.

"Very respectfully, " John E. Massey.

"July 10th, 1882."

After I consented to be a candidate for Congressman-at-large, Hon. A. M. Keiley, chairman of the State Executive Committee of the Democratic party, proposed to call a convention to nominate me as the party's candidate.

I opposed his doing so. I wrote him, in answer to his letter to me:

"If it were proposed to call a convention to nominate a candidate, I should approve it; but when you say that it has been already decided that I am to be nominated, I think no nomination should be made. Re-uniting Funder and Readjuster Democrats, and thereby rescuing the State from Mahone-Republican misrule, is my main object in consenting to become a candidate. If I be nominated by either wing of the party it may displease the other and defeat my object. All Virginians know that I am a Democrat. They also know that I am a Readjuster. If I 245 can bring the two wings together in this canvass it will pave the way for a permanent union, and the State will be saved."

My plan was adopted, and I ran as an independent Readjuster-Democrat or Democratic-Readjuster. The feeling between the two wings of the party was so antagonistic and bitter,

## Library of Congress

that any active advocacy of my election by either would have been offensive to the other. I had therefore to conduct my canvass with but little aid from either.

John S. Wise was the Mahone candidate. All the political machinery was in Mahone's hands and was worked to its full capacity according to his methods. The Mahone canvassing board gave Wise a certificate of election.

The Democratic chairman of the State published the following:

“Urgent appeals to Mr. Massey from every direction to contest the seat of John S. Wise, and the proffered testimony of the most shameless frauds, justify the belief that the true people of Virginia desire the mask torn from those who have claimed credit, under the false pretence that they were the champions of the purity of the ballot-box; and that they (the people) are prepared to help the good work of that exposure. Under these circumstances, and with the confident belief that he received a large majority of the legal votes of the State, Mr. Massey has resolved to contest the election.”

I was convinced that I was elected by a majority of about 10,000 of the legally qualified 246 voters. I spent nearly the whole of both sessions of the 48th Congress in Washington, earnestly but vainly trying to get my contest acted upon. It was *never called up!*

Another contestant was seated just two hours before the final adjournment of the second session. He had been kept waiting, through both sessions; the contestee held the seat and drew all the perquisites and full pay to the last day: then the contestant was sworn in, held his seat two hours, and drew full pay and all the perquisites for the two sessions.

I had many amusing and some rough experiences during this canvass.

Hon. John S. Barbour and I were at Madison Court House together. Wise was expected to meet me there, but did not do so.

## Library of Congress

When I commenced speaking the Mahoneites tried to break up the meeting. Whenever I attempted to speak they would call "Wise! Wise! Wise!" Some of my friends wished to resent this seriously, but I dissuaded them. I stood quietly until there was a lull; then I said quickly: "A man once boasting to another of his great prowess said, 'I can call spirits from the vasty deep!' 'So can I,' said the other, 'but will they *come* when you call them?' You may call 'Wise! Wise!' as long and as loud as you please, but he will not come, so you had as well be quiet."

They quieted down and gave me, with but little exception, a respectful hearing.

Funder-Democrats feared that if they took the stump in my behalf it would drive Readjusters from me: and my Readjuster friends feared that if they spoke in my behalf it would drive Funder-Democrats 247 from me; and if any money were used in my behalf it was without my approval, or knowledge. Hence I had to make my canvass mainly alone.

Richmond city gave a most flattering demonstration in my behalf; and wherever I went I was met by large and enthusiastic audiences, and was often driven in processions that were led and followed by musical bands.

When I returned to my own county I was met at the Charlottesville dépôt by a large crowd, The city paper gave the following account of it:

"John E. Massey arrived here to-day, and was met at the dépôt by a deputation of citizens accompanied by a brass band, and escorted to the court-house followed by an immense throng. The enthusiasm was intense and seemed to pervade all classes. The court-house was packed to its utmost capacity with people who seemed as eager to hear Massey speak as if they had never seen or heard him. He made an excellent address, excoriating the Coalitionists. His words were received with the highest marks of approval. . . . The enthusiasm manifested for Massey here at his home by those from whom he heretofore received the strongest opposition and the hardest blows, should eradicate from the minds

## Library of Congress

of all Democratic hesitators all doubt of the propriety of casting their ballots for him. Men who came here to-day in doubt went away satisfied that a vote for Massey was a vote for principle and against the hazard of a political degradation such as Virginia has never known.”

One effect of my canvass was the re-uniting 248 of Democratic Funders and Democratic Readjusters, and the placing of the Democratic party thus united in control of the State.

The Staunton *Vindicator*, an independent Democratic paper established in 1840, said with reference to this fact:

“Hon. John E. Massey, on all questions that have arisen in connection with the State debt, is the ablest, best informed, and most far-seeing of the public men in Virginia. It is a broad statement, but it is true, and we think there is hardly a man to be found that will deny it. He has done more for the Democratic party, as an individual, than any one man in Virginia, if we except Hon. John S. Barbour. One, Massey, secured to the Democracy the possibility of carrying the State; and the other, Barbour, made the possibility into an accomplished fact. Massey has borne more for the Democracy of Virginia than any one man in the State, and we challenge a contradiction of the statement. The party has unanimously come to the stand taken by Mr. Massey.”

A Democratic convention was held in Lynchburg in 1883, which reorganized the party. A committee of thirty members—three from each Congressional district—was appointed to draft a “platform.” That committee, after a brief conference, committed the work to a sub-committee composed of Major Keiley, Major Daniel, and myself. Major Keiley and I differed on three points. He finally yielded two of them, but would not consent to my views on the third. We discussed it until after sun-down. When the 249 other members of the committee returned we submitted our contention to them—the whole committee. Major Keiley and I did not vote, but the other twenty-eight were unanimous for my resolution. The platform

was reported to the convention, and unanimously adopted. The Democratic party has been victorious in every State election since.

250

## CHAPTER XXIII WHO SETTLED THE STATE DEBT?

“To the Editor of the *Dispatch*: The Legislature of Virginia, having passed such bills for the settlement of the State debt as were deemed necessary and proper, and the Supreme Court of the United States having decided that those bills are constitutional and valid, those Readjusters who acted from principle, and not from selfish motives, consider the debt settled, so far as *legislation* can settle it, and are willing and *anxious* to drop the whole subject and let it ‘sleep the sleep that knows no waking.’ They feel but little *personal* concern as to who gets the credit or enjoys the honor of having fought the battle of Readjustment and formulated the principles which gave it success.

“But as the *Whig* and those who echo its notes insist that the debt is *not* settled, but is still to be an issue in Virginia elections; and as they claim to have been its special champions in the past, and arrogate to themselves the entire guardianship and control of it in the future; and as these arrogant claims may, if allowed to pass unchallenged, deceive and mislead honest men, I have consented, at the solicitation of friends for whose wishes I have great respect, to give a few incidents in the history of the fight for and against the use of receivable coupons, etc.

“I will state, by way of introduction, that I, in common with a large majority of the Conservative 251 party of Virginia, was not satisfied with the Funding Bill of 1871. We did not believe the people of Virginia were, *under all the circumstances, morally* bound to meet its demands. We believed, moreover, that the operation of the tax-receivable-coupon feature of that bill would prove detrimental to the best interests of Virginia. The self-executing coupon was the main obstacle in the way of such a settlement of the question as would, in my opinion, be just and equitable to both debtor and creditor.

## Library of Congress

“The Court of Appeals had decided that Virginia was bound by an irrevocable contract to receive these coupons in payment of all public dues. Hence the question how we could obtain relief from these pocket executions, and put ourselves in a favorable position to secure equitable terms from the holders of Virginia bonds without coming in conflict with the decision of our highest courts, was a difficult one to answer. I had knowledge of facts which impelled me to believe that serious frauds could, and almost certainly *would*, be committed against the State unless proper steps were taken to guard against them. *Millions* of dollars of bonds, each bond having coupons attached to it amounting to twice as much as the bond itself, and which could be used by any one who could get hold of them, were lying in wooden presses in the Treasurer's office. The honesty of officials was the only guaranty the State had against the abstraction and use of these millions of coupons.

“These coupons were perfect and complete. Those which might be clipped from the bonds which had not been issued could be as readily used in the payment of public dues as those taken 252 from bonds which had been issued could. Tax-collectors had no way of distinguishing the one from the other—the spurious from the genuine. Moreover, the plates from which they were made were still in existence and in the hands of a Northern company, which could, if they chose, make millions more of them.

“Again, these coupons were, in my opinion, liable to be counterfeited. The report of the special committee of the House of Delegates ‘appointed (in 1880) to examine the books and valuable papers in the Second Auditor's Office’ shows that this opinion was not without reason. It says: ‘Our investigation also brings to light the astounding fact that some coupons have passed through the office which have no face or bond number, and the presumption is very strong, in the opinion of your Committee, that these coupons are counterfeits, and the coupon system is liable to gross violation by counterfeiting. We submit this fact, and beg to call your attention to the vast extent to which the State may suffer by such imposition.’

## Library of Congress

“After maturely considering the difficulty which environed the subject the most feasible plan I could devise for meeting them was not to deny the receivability of *coupons*, but to provide by law that no paper purporting to be a coupon should be received by any tax-collector until it had been proved to be ‘Genuine.’ I, therefore, prepared a bill, which I presented in the House of Delegates on the 4th of February, 1874, ‘to prevent counterfeit or improperly obtained coupons from being received in payment of taxes, debts, dues, and demands due the State.’

“About ten days after the introduction of this 253 bill the legislature was called upon to investigate charges of the abstraction of bonds and coupons from the basement of the Capitol. Although the facts developed by that investigation showed that my fears had been well grounded, and that the measures which I proposed were necessary and proper, I met with so little encouragement that I never pressed for a vote upon the bill during that session. On the seventh day of the session of 1874–’75 I again offered my bill, which became known throughout the State as ‘Parson Massey's Coupon Bill.’

“It provided that whenever State bonds, with tax-receivable coupons attached thereto, should be presented by the holders thereof, or their agents, to the Secretary of the Commonwealth, he should write on those coupons which had *matured* and *upon no others*, the word ‘ *Genuine*, ’ and affix thereto his signature and the date of endorsement.

“It provided, further, that no paper *purporting* to be a coupon, but which had not the endorsement of the Secretary of the Commonwealth, should be received as a coupon by tax-collectors.

“This bill was before the House as a ‘special and continuing order’ for a number of days, and was earnestly and elaborately discussed.



## Library of Congress

“Colonel Fulkerson, who was one among the first Readjusters, and who never faltered in his devotion to their principles, but was always consistent and persistent in their advocacy, supported it earnestly by both speech and vote.

“Riddleberger, who now claims the credit of having originated the idea of requiring the genuineness of coupons to be proved before they 254 can be received, was one of its fiercest opposers, and made one of his characteristic speeches against it. Four recorded votes were taken upon the bill—first, to lay it on the table; second, to engross it; third, to reconsider the vote by which it was ordered and engrossed; and fourth, upon its final passage. (See House Journal of session 1874–’75, pages 245, 249, and 256.) On each occasion Riddleberger and Judge B. W. Lacy voted against it.

“Opposition to every practical step in favor of Readjustment was persisted in for more than two years after the defeat of ‘Parson Massey's Coupon Bill’ by the men who now claim to have been the especial advocates of Readjustment.

“In March, 1877, the Richmond *Whig*, then, as now, General Mahone's organ—the utterer of his thoughts—championed the bondholders' cause so earnestly that it advocated taxing ‘whiskey and dogs,’ to pay the interest due on them.

“Its objection to the Funding Bill of 1871 was not that it unduly burdened *taxpayers* and did *them* injustice, but that it was unjust to *bondholders*. It said in one of its editorials: ‘This act, upon the part of the State, was an arbitrary one. She said to the helpless creditor: Take the bond offered for your debt, reduced one-third, and the interest shall be paid punctually; if not, you shall be paid nothing. As judge and jury, the State determined the case. The creditor had no option but to accept the terms or to retain the repudiated original bond.’

“These men and their parasites never espoused the cause of Readjustment, but persistently 255 opposed it until its main battles had been fought, its final success had been assured, and they saw a chance to use it for their own personal and selfish ends.

## Library of Congress

Nor can it be shown that they ever originated one important idea in connection with it. Yet they now assume the *rôle* of both leaders and dictators, and seem to expect Readjusters to follow them blindly wherever they lead, and to submit unquestioningly to their dictation. I have no desire to deprive these men of any honor to which they may be entitled. I would sooner give them tenfold more than they deserve than to withhold from them the smallest fraction which may be due them. Let them have full credit for all they have done and for all they claim to have done. Let them have all the honor of having *settled the debt*, if you choose. Let them enjoy the credit, if that will satisfy them, of having originated the ideas, formulated the plans, and fought the battles of Readjustment. But when they presume upon these spurious claims to deceive honest Readjusters, and make them believe that the debt question is still an issue in Virginia elections, or that they are entitled to special confidence and gratitude for past services, so that they may lead them into the Republican camp, every Democratic and Conservative Readjuster should reject and expose these spurious and absurd claims, and refuse any further co-operation with those who assert them.

“There is no such thing as neutrality in this fight. Each and every man must decide for himself to which party he belongs. The line is distinctly drawn—Democrats on one side of it, and Republicans on the other. Not decent, genteel 256 Republicans, but Arthur-Mahone-Stalwart-Coalition-Republicans—men who are not Republicans from principle, but as matter of trade and barter; men without character and influence, ‘apostates for the price of their apostacy.’

“Very respectfully, “ John E. Massey.

“Ash Lawn, April 2, 1883.”

257

## CHAPTER XXIV GUBERNATORIAL CONVENTION AND CANVASS OF 1886

## Library of Congress

Prior to the Gubernatorial convention in 1885 one of the Charlottesville papers published the following:

“Now that the people of our State are looking around for a man of experience and ability in State politics for candidate for Governor for the Democratic party, my mind has turned to our distinguished countyman as the most suitable man to the position in these troublous times. In every position to which he has been elected most faithful and efficient services have been rendered—as Representative, or Senator, and as Auditor of Public Accounts; and then many, very many of his fellow-countymen gratefully and admiringly remember his many refusals to submit to the dictates of ‘Boss’ Mahone, and his patriotic and persistent opposition to partisan legislation, which had been dictated by the Boss, and adopted by his legislative adherents and tools, and which, if adopted into law, would have buried the State under Mahone rule, and misrule, for years to come. Mr. Massey's connection and work with the ‘Big Four’ was the most important work of that session of the legislature.

“I feel that Mr. Massey is entitled to the nomination by the Democratic party for Governor: 1st, because of his eminent qualifications for the position, especially at this time; 2d, because of his inestimable services to the party and to the State of Virginia.

“ A Voter. ”

The Goodson *Democrat* published the following:

“Surely no Democrat in the State is more deserving than Mr. Massey to a place upon the Democratic Gubernatorial ticket this fall, and we sincerely hope that ‘Old Man Massey’ will be placed upon that ticket, not only because we think he deserves to be placed there, but that he would add a tower of strength to the ticket, because on him all the elements of the Democratic party can be united in one great rally for the ticket.”

## Library of Congress

I was solicited to become a candidate for nomination by citizens of other counties as well as my own, and I did so. My own county, Albemarle, sent a solid delegation instructed in my behalf, as did also most of the adjacent counties.

General Fitzhugh Lee, Colonel Philip W. McKinney, and I were candidates for nomination. Each had gratifying support. General Lee was nominated. The convention sent a committee for Colonel McKinney and myself. I was in bed and asleep. When aroused I asked to be excused until morning, and I was soon sleeping soundly again.

The next day as soon as I entered the theatre, in which the convention was being held, I was called on for a speech, and I responded. Colonel McKinney, who was one of the best and purest men I ever knew, was also one of the 259 most modest. He said he did not intend to exhibit himself as a defeated candidate, and he took his seat on the rear of the stand.

In closing my address, I turned to him and said:

“Come on, my partner in distress, My comrade through this wilderness.”

The applause that followed and the calls made for him brought him to the front.

I had been, and was again, urged to take the second place on the ticket, but I emphatically refused to do so. Notwithstanding my protest, the vote for me was so nearly unanimous, when the roll was being called, that a motion was made, and enthusiastically carried, that I be nominated by acclamation.

I was again called on for a speech. I felt that I could not decline so flattering a call. I said:

“We have heard that office should seek the man, and not man the office. You have a practical illustration of it to-day. I have said to every man who has spoken to me about it that I *would not accept this nomination if tendered me*, and I *meant* it; but you have

## Library of Congress

captured me. This demonstration overwhelms me. I therefore accept your nomination, and will work earnestly for the success of your ticket. You must excuse me from saying more. I made my speech this morning.”

A man in the gallery called out, “And a d—n good one at that.”

I replied, “Excepting your expletive, I accept the compliment.”

260

Honorable Rufus A. Ayers was nominated for Attorney-General.

John S. Wise was Mahone's candidate for Governor; Clint. Wood, for Lieutenant-Governor, and Frank S. Blair, for Attorney-General. He was then Attorney-General.

Our first appointment for speaking was at Fairfax Court House. I expected General Lee to open the canvass, but sickness in his family prevented him from doing so, and the duty devolved upon me.

On my way I was introduced to Rev. Dr. Nelson, rector of the Episcopal Church at Warrenton. He told me that some of his friends were surprised at his going to hear me speak, as he was so opposed to me when I met Captain Shepperd in Warrenton. ““So I was,’ I told them,” he continued, ““and but for Mr. Massey's pleasant manner I should have been very angry with him, but I find he is the most consistent politician I ever knew. He has persistently advocated measures which the Democratic party most bitterly opposed, and he has been more abused than any man in Virginia, first by Democrats, and then by Mahoneites; yet he has never changed his ground or wavered in his course. All parties now believe that he is right; and those who most bitterly opposed and denounced him have gone to him, and are cordially and earnestly supporting him.””

At the conclusion of my speech he introduced two other clergymen to me, saying, “You are not without the benefit of the clergy to-day.”

## Library of Congress

General Lee and I spoke together but few times during the canvass. When we did, large numbers of people would meet us with bands of 261 music, a carriage for me, and a fine horse, generally an "entire," for him.

Mr. Ayers and I canvassed southwest Virginia together. Our first appointment was at Wytheville. We were met by a very large audience of both ladies and gentlemen. Gen. James A. Walker and Maj. John W. Daniel were on the stand with us, but neither of them spoke.

I was introduced by a Mr. Crocket, a young lawyer. The first part of his introduction was extravagantly eulogistic. Among other extravagancies he said he was "going to introduce the only man in Virginia who could make and unmake parties, the man that made Billy Mahone, and the only man that could kill him. But this man is the Atlas of Virginia, having more sins on his shoulders than any other man in the State."

When I arose I was greeted with flattering applause. I said:

"Fellow-citizens: I fully appreciate your cordial greeting, and I wish I could return it with compound interest. I hope I properly appreciate the flattering introduction I have had, but my too partial friend gives me more credit than I claim. I do not claim to be able to make and unmake parties; neither do I claim to have made General Mahone, however much he may look like one of my botch jobs. But, if I did make him, I relieved the Almighty of a great responsibility: neither do I wish to kill him, but I propose, by the blessing of God, and the help of the good people of Virginia, to bury him so deep politically that he will never be resurrected.

262

"My friend says I am the Atlas of Virginia, having more sins on my shoulders than any man in the State. If that be so, I am also the most fortunate man in Virginia. I have been met by the grandest and most magnanimous army this grand old State can muster. This army has

## Library of Congress

met me with unbroken ranks and has said, 'Mr. Massey, we will be your scapegoat. We will take your sins upon our shoulders, and you shall no longer be responsible for them.'"

Major Daniel, who was sitting behind me, said to General Walker, "That is so."

As Mr. Ayers, his driver, a Mr. Coman, and I were going from Lebanon, in Russell County, to Clintwood, in Dickenson County, in a double-seated, topless carriage, we met with an accident. When we were on a steep mountainside that ran precipitously from the road to a stream below, I saw the carriage was about to upset. I threw myself as far to the upper side as I could to prevent it. I did not prevent it, however, but placed myself in the most unfavorable position. I was pitched head foremost, my head struck the ground about ten feet from the road, and literally ploughed the ground a distance of forty feet. My arm came in contact with a sapling, and I clung to it. My hat was pressed over my face when my head struck the ground, and partially protected it.

When I was sufficiently recovered from the shock to take in the situation, I saw a pile of rocks just before me, and a river a few feet beyond them. Blood was dripping from my face upon the rocks, and Mr. Coman was dancing 263 around, saying: "Lordy! Lordy! he is dead, his neck is broken! What shall we do?"

He was about to put his hand under my head. I said, "Let me lie still a little while."

My face was so badly skinned and cut that it looked frightful. No one else was hurt. After bathing my face we resumed our journey.

Upon our arrival at Clintwood we were met by a goodly crowd. They seemed to be amazed at my appearance. I explained our disaster, and said to them that my mind and my tongue had not suffered so badly that I could not speak, if they would close their eyes and lend me their ears. I made my speech, but was almost helpless for several days afterward. Yet I averaged six speeches and a sermon every week I was in the canvass.

## Library of Congress

At one of my appointments a shabbily dressed man tried to prejudice the plain people against me by referring to my dress.

“Mr. Massey,” said he, “has no sympathy for laboring people. Look how he is dressed.”

In reply, I said: “My mother taught me that I must wear my best clothes, and behave my best, when I attend church, a wedding, or a funeral. Since I left home I have attended church and a wedding, and I am now here to preach the gentleman's political funeral. He should, therefore, feel complimented by my having on my best apparel.”

At Giles Court House an ex-circuit judge, who had resigned his judgeship to avoid impeachment because of his dissipation, said to me that if I would go to the church near by and preach, I could do much more good than I could do by making a political speech. I told him it would give me pleasure to preach there on any suitable occasion, but that I was accustomed to meeting my engagements; that I had an appointment to speak there that day; that a goodly number of people had come to hear me, and that I must not disappoint them.

“Well,” said he, “I don't believe in mixing politics and religion, anyway.”

“I do,” I replied, “provided you mix them right. My motto is never put politics in your religion; you can't improve religion by any admixture; but put as much religion in your politics as possible the more the better. I sometimes illustrate it this way: A man should never put whiskey in his water; water is more healthful and beneficial as it comes from nature's laboratory than it can be made by any admixture; but, if he *will drink* whiskey, put as much water in it as possible—drown out the very *smell* of it!”

The crowd that had gathered began to cheer, and the ex-judge left.

The Readjuster representative of Carroll County was an Anti-mission Baptist preacher. He became one of Mahone's county judges. I had an appointment to speak at Carroll



## Library of Congress

Court House on Monday, and I wrote to this Mahone judge, requesting him to make an appointment for me to preach on Sunday. He replied on a postal card in most bitter terms; charged me with defeating measures that had been agreed upon in the legislative caucus; and said he would make no appointment for such a traitor as I was.

The pastor of the Presbyterian Church, hearing that I was in town, called on me, and invited me to preach for him. I did so, and enjoyed the service.

An active canvass was made by both sides, but there were no joint discussions between the opposing candidates.

The Democratic ticket was elected by about 20,000 majority.

266

### **CHAPTER XXV LIEUTENANT-GOVERNOR**

We were given a grand reception at Sanger's Hall the night before the inauguration. General Lee and Mrs. Lee and I stood upon the platform and shook hands with the thousands that passed around. Mrs. Lee bore the ordeal and acquitted herself admirably until near the close. She then became exhausted, fainted, and had to be taken from the hall. I shook hands until my wrist was swollen and my hand was almost helpless.

The inauguration was simple and unostentatious. We were escorted to the desk of the clerk of the House of Delegates. Hon. L. L. Lewis, President of the Court of Appeals, administered the oath of office, and we entered at once upon our respective duties.

General Lee was a faithful, able, painstaking, and efficient Governor, always watchful of the State's interest, and was very popular with all classes.

I preached in the Broad Street Methodist Church the Sunday after my inauguration. A Senator, who was there, came to me the next day, and, with seeming perplexity, asked me if ever before a Governor or Lieutenant-Governor of Virginia had preached after his

## Library of Congress

inauguration. I replied: "They never did. I am the only minister of the Gospel that ever held the office; but if I were President of the United States, I should feel that I had a still higher office, and 267 should preach whenever I had an opportunity to do so."

The Senate was a very intelligent and orderly body, and I enjoyed presiding over it.

The question of an extra session of the legislature came up during the winter of 1886, and in regard to it I wrote the following letter to the editor of the *Dispatch*:

". . . As I have before stated, I believe an extra session is necessary to guard properly and to protect the most important interests of the State; and, if held, I hope all will come together, and work together, with an eye single to the best interests of the whole State, and leave party strifes behind them.

"The State debt is the most important subject which will be before the legislature. I am frequently asked what the legislature can do with regard to it. I can state in a few words some of the things which it can and, I think, ought to do.

"1. Pass a bill prohibiting the funding under the Riddleberger bill of any bond from which the coupon which matures July 1, 1887, has been detached.

"2. Propose an amendment to the Constitution, to be submitted to the next legislature, providing that no future legislature shall, after the adoption of said amendment, make any provision for the payment of any bond which has not been funded under the Riddleberger bill, except those held by schools and colleges.

"3. Transfer, with some few necessary exceptions, the assessment and collection of revenue to the counties and cities of the Commonwealth.

268

## Library of Congress

"The thought of offering, receiving, or considering any other terms of settlement than those contained in the Riddleberger bill should not be entertained for a moment.

"Do not these propositions savor of repudiation?"

"Before answering this question let us consider a few historical facts.

"All who are familiar with the passage of the Funding Bill of 1871, which sapped the foundation of State sovereignty and deprived the State of the power to control her revenues for thirty-four years, know that it could not have been passed but for the fraudulent use of money, which was furnished by bondholders or their agents. I do not mean that all who voted for that bill were thus influenced. Some who voted for it were as high-toned and honorable men as tread Virginia soil. But I do mean to say the bill could not have been *passed* but for the corrupt use of money furnished for that purpose.

"For ten years the people bore the intolerable and unjust burden this fraudulent bill imposed. When they could no longer bear it they did not retaliate by offering their oppressors less than justice and equity dictated, but proposed to pay their creditors about *double* the amount they ought to pay.

"How has this liberal offer been met? By insults, taunts, and threats. By dragging the State, like a culprit, to the bar of a partisan court. By seeking to bribe taxpayers to disobey the laws of Virginia, and offering to defend them and to save them harmless in their disobedience of their own laws. By seeking so to arouse the cupidity of taxpayers as to make it 269 override both their patriotism and their self-respect. By seeking through a partisan court to deter officers of the State from obeying State laws.

"In a word, they have been swift to avail themselves of every opportunity to harass and humiliate Virginia and Virginians.

## Library of Congress

"Now, my propositions are equivalent to saying to the bondholders: 'We have made you a liberal offer; it is the only one we shall ever make you. Accept *that* or *nothing*. If you intend to accept it at all, you must do it *speedily*. If you fail to step in before the limitation expires, you will find the door closed, *never to be reopened*. If you call this repudiation, you may console yourselves with the recollection that it is the work of your *own hands*.'

"I will never advocate paying one dollar to those who reject the settlement offered in the Riddleberger bill and seek to coerce the State to comply with their demands.

" John E. Massey.

"Ash Lawn, Dec. 25, 1886."

While I was Lieutenant-Governor I was requested by a Northern editor to give my views of the "Southern Question." My reply was as follows:

"Before answering the questions you so courteously ask, I will state what I suppose to be their import. Your first question is, 'What is the Southern question?'

"I suppose you desire to know, by this question, what subject or question most deeply affects and interests the South, politically and 270 materially. Assuming this to be the purport of your first question, the answer to it is two-fold.

"First. Shall the Southern States, as all the States of the Federal Union should, enjoy respectively the free and full exercise of their reserved rights and the uninterrupted control of their respective State and other local governments?

"This question is forced upon the South by the frequent reference which is made to 'the Southern policy of the Federal administration.'

"Why should there be a Southern any more than a Northern, Eastern, or Western policy?

## Library of Congress

“The people of the Southern States, as did, also, many of the ablest statesmen of the Northern States, believed that sovereign States had a right to withdraw from the Federal Union whenever, in their opinion, they had just cause for so doing. This right was submitted to the arbitrament of the sword, which decided against the Southern States.

“The people of the South accepted the result in perfectly good faith. They admitted the indissolubility of the Union of States, and went to work with will and energy, unparalleled, to rebuild their fallen fortunes.

“No portion of this broad land of ours can show a more peaceable, orderly, law-loving citizenship, or one more loyal to the United States flag and Government, than the Southern States. This would be quickly demonstrated, if any earthly power should dare to assail or insult that flag or government.

“Why, then, if this be a perfect Union—one and indissoluble—any special policy for, or interference 271 with, any particular portion of it? The same policy should apply to every portion.

“Second. The second branch of this question is: Shall the reins of our local governments—the control of our governmental affairs—be in the hands of intelligence and virtue, or in the hands of ignorance and vice?

“This question is forced upon us by the massing together, by designing men, of the great body of negroes in the Southern States, and the arraying them, politically, against the whites.

“There is no hostility among the whites of the South toward the negroes. That there is ‘race prejudice’ is not denied. *This is a natural and inherent principle everywhere*, but it is mingled with no bitterness in the Southern breast. Those only who have been reared with, nursed by, and who have owned negroes, know the kindly feelings such entertain toward

## Library of Congress

them. But this feeling does not blind them to facts that must be recognized by fair-minded men everywhere.

“To say that that government is best and safest, and that the rights and interests of citizens are best protected when laws are made, construed, and executed by the most intelligent and virtuous citizens, is but to state a truism.

“Two parties (I might say two races) are confronting each other in the Southern States. They are not divided upon high tariff and low tariff issues, but upon questions of more vital interest.

“One of these parties is composed almost entirely of the naturally superior race—the white race. This race is not only naturally superior, but from a period beyond which the memory of man runneth not, it has been trained and educated 272 for, and accustomed to, making, construing, and executing laws. It framed this ‘the best government the world ever saw’; laid the foundation, reared the superstructure, and engineered it safely through both calm and storm, until it stands, the admiration of the civilized world.

“The other party is composed mainly of the inferior race—negroes. A race that has never exhibited qualifications for making, construing, or executing laws, for governing others, or for self-government. They have never been trained or educated for such work, and are wholly without experience in it.

“Is it not self-evident that the welfare of both races (and more especially the weaker), the justice and wisdom of our laws, and the stability of government, all demand that the reins of government be in the hands of white men?

“It may be argued that the ‘colored legions are officered by white men.’ This, to some extent, is true. It is also true that some good and worthy men affiliate with them politically.

## Library of Congress

"These, however, are exceptional cases. The bulk of white men who thus affiliate are men who are eager for office, but whose fitness for it is seen only by themselves, and who use the negroes as stepping-stones to office.

"If the colored race is less qualified to govern than the white race is, it logically follows that it is also less qualified to *select* those who are to govern both races.

"I have thus stated what I believe to be 'the Southern question,' and why I regard this the most important question to the South.

"To your second question, 'How should it be 273 met to produce the greatest good to the South?' my answer is:

"First. By the enactment of just and wholesome laws, and by firmly and impartially administering them.

"Second. By providing ample educational facilities, and by encouraging all, both white and colored, in their respective schools to avail themselves of them.

"Third. By judicious use of their means in building manufactories and developing her natural resources, and by offering proper inducements to capital and capitalists of other States to co-operate with us in such works.

"Fourth. By encouraging honest labor by dealing justly, fairly, and liberally with it.

"Lastly. By non-interference in the internal affairs of the State by outsiders, especially by their ceasing to encourage, either directly or indirectly, negro domination in the Southern States; or to create or encourage the belief that the rights of the negro are not properly respected and protected in them.

" John E. Massey , "Lieutenant-Governor of Virginia."

**CHAPTER XXVI GUBERNATORIAL CONVENTION AND CANVASS OF 1889**

I was called on to address the Gubernatorial convention of 1889. In concluding my address I said:

“My official life is nearing its close, and I never expect to be a candidate again for any office. Before retiring to private life I wish to give utterance to some thoughts that may not meet with your approval. I will say, therefore, that *I alone* am responsible for them. I do not express them as the sentiments of the convention, nor do I ask the convention to endorse what I am going to say.

“I am a friend of general education. I would like to see every child in Virginia educated, provided it can be done fairly, honestly, and justly; but I am tired of seeing white men taxed to educate negroes, who show their ingratitude by arraying themselves against us at every election.

“I want the taxes paid by white people applied to the education of white children; and those paid by negroes applied to the education of negro children. Let them have, in addition to the taxes they pay, every dollar that is given to them voluntarily, no matter by whom; but don't compel the honest, industrious white men of Virginia, who are unable to educate their own children, to educate negro children, whose fathers are not willing to pay so much as their 275 capitation tax—one dollar—which is dedicated exclusively to the public free schools.

“These are not hasty or thoughtless expressions, but expressions of matured thought. When I was a member of a Committee on Constitutional Amendments in the Senate years ago, I tried to get an amendment to the Constitution looking to this end; but I could not. Without such a constitutional amendment the present unjust application of school funds must continue.”



## Library of Congress

The Democrats nominated Colonel Capt. P. W. McKinney + Capt. Co. Cavalry 420 Reg. C. S. A. (Buckingham Co. V?) for Governor in 1889, and General Mahone nominated himself for the same office.

General Mahone had formed a new party, known as the "Coalition party," composed of white and colored Republicans, and of renegade Readjusters, who had never been Readjusters "upon principle, but as a matter of trade and barter"; men who followed General Mahone because he controlled the Federal patronage in Virginia; men who, if they had expressed their honest sentiments, would have said, as one did say, "I am no Readjuster. I don't care a d—n whether they pay every dollar of the debt, or repudiate every dollar of it."

The Readjuster party suffered in public estimation by being confounded with the Coalition party. Men, either from ignorance or design, would speak of the "Coalition or Readjuster party."

I most solemnly protest against any such union of the two names, or any confounding of one with the other. I was charged and *honestly* charged with being the Father of Readjustment, 276 and I was proud of my offspring. So long as my associates and co-workers were such men as Colonel Fulkerson, Colonel Armstrong, Judge Paul, Colonel Ruffin, James Barbour, Senator Newberry, Senator Hale, Judge Lybrook, Senator B. F. Williams, Dr. Moffit, Maj. J. Horace Lacy, Judge Fauntleroy, and others of like standing, who united and co-operated with us, because they believed the principles and measures of the party were right, I considered it no reproach, but rather a compliment to be charged by Funders, and accredited by Readjusters, as I often was, with being "The Old Original," "The Father," "The Great Father of Readjustment," and similar terms.

When General Mahone and H. H. Riddleberger, both of whom had opposed Readjusters and Readjustment, united with us, the former bringing the Richmond *Whig*, and the latter

## Library of Congress

the Shenandoah *Herald* to our support, I thought them valuable acquisitions. I did not suspect them of having joined us for mercenary purposes.

Both Funders and Readjusters very naturally tried to get all the votes they could from both the Democratic and the Republican parties.

When the State debt was settled, there was nothing to prevent a union of Funders and Readjusters, and no reason for perpetuating these distinctive names. It was both reasonable and proper that both Democrats and Republicans should resume their places in their respective parties.

Those who had been acting from patriotic motives, 277 and honest convictions of duty, had no desire to continue the strife, and keep up a partition wall, after the questions that had divided them had been settled. Readjusters would have been blind to their own interest and honor if they had kept up strife after *all parties*, and nearly *all men* of all parties, had conceded that they were right, and endorsed their principles and measures.

But General Mahone and others had not gotten all they wanted from Readjustment; and having lost the confidence and respect of honest Readjusters, and also of respectable Republicans, undertook to organize a new party, which was neither “fish, flesh, nor fowl,” and which he christened the “Coalition party.”

I have nothing to say against this amalgamation, provided it be not confounded with the Readjuster party. Against this I do most solemnly and earnestly protest!

General Mahone's infinitesimal gratitude on the one hand, and his inordinate ambition on the other, came well-nigh wrecking the Readjuster party before it accomplished the mission for which it was created; and would have done so but for the firmness and prudence of those who were willing to be sacrificed rather than to sacrifice their principles and their State.

General Mahone's arbitrary and autocratic rule, which he had been able to practice by means of the Federal patronage, and for which he had sold himself, and proposed to sell the State, not only lost him the confidence and respect of honest Readjusters, but of respectable Republicans also.

278

On the 3d of July, 1889, my wife died at Ash Lawn in Albemarle County. She passed away as calmly and peacefully as if falling into a gentle sleep.

279

### **CHAPTER XXVII SUPERINTENDENT OF PUBLIC INSTRUCTION**

Before my term of office as Lieutenant-Governor expired I was solicited to be a candidate for Superintendent of Public Instruction. I had refused to be a candidate for this office some years before; but I said I would accept it, if elected without soliciting votes; but I would not ask any member of the legislature to vote for me; and I did not, yet I was elected on the first ballot. The term for which I was elected commenced March 15, 1890; but Dr. Buchanan, who then held the office, resigned. I was elected to fill his unexpired term, and to enter upon its duties the second day of January, 1890.

In concluding my last address before the Senate, in response to the kindly resolutions that had been unanimously adopted, I said:

“There is no work in which I feel a deeper interest, and none more befitting the close of a long and laborious public life, than that which you have enjoined upon me. Most gratefully do I acknowledge the complimentary manner in which the office was conferred, and especially do I appreciate the almost unanimous vote of the members of the body with which I have been most intimately associated.

“If I can so discharge the varied and responsible duties of the office to which you have 280 elected me as to render our educational system more efficient and beneficial; to stimulate

## Library of Congress

the rising generation to greater efforts for the acquisition of useful knowledge; to inspire them to love and practice pure morality, and to merit the plaudit 'Well done,' I shall attain the highest summit of my earthly ambition, and think I can then say, 'Now lettest Thou Thy servant depart in peace.'

"I hope it will not be regarded out of place if I remind you that, during my connection with the Senate, first as a member, and then as your presiding officer, several of your brother Senators have been called from your midst to their final account. Should not their deaths remind us that we are a part of that stream which is constantly and rapidly gliding down the channel of time, soon to reach the unseen shore; and should not the thought prompt each of us to greater desire and nobler efforts so to live that our examples may be worthy of imitation, our lives blessings to our fellow-men, our end peace, and our reward glorious?"

Addressing my successor, I said:

"It becomes my duty and it is my pleasant privilege to hand you on behalf of the people of Virginia the insignia of office, and I do it with the confidence, that you will use it and fill the office into which you now enter with credit to yourself and satisfaction to the Senate and to the people of Virginia."

Major Tyler in accepting the gavel made a nice little speech. He said:

281

"Mr. President, as I take the gavel, the insignia of my office, from the hand that has held it so wisely and so well for the last four years, and look upon your silvered locks, telling of years of ripe wisdom and mature judgment, and think of your long and able service to the State, and reflect upon my own inexperience, I more fully than ever realize the truth that we must remember Him who has promised to give to those who ask wisdom liberally and upbraideth not.

## Library of Congress

“Many are the worthy and illustrious characters that have been chosen to fill this place, but among them all none, sir, are more conspicuous than yourself for the able, fair, and impartial manner with which you have discharged the duties that have devolved upon you. May your mantle fall on me, and with it some of the wisdom, prudence, and fairness which has characterized your actions.”

I entered upon my duties as Superintendent of Public Instruction on January 2, 1890. The State Board of Education is composed of the Governor, the Attorney-General, and the Superintendent of Public Instruction. Colonel Philip W. McKinney was Governor, and Major R. Taylor Scott was Attorney-General. It was a pleasure to be associated with them. Virginia may have had many as true, faithful, and conscientious public servants as they were, but I hazard nothing in saying she never had any who were *more* so. Both of them have gone to their final reward, but each has left a fragrant memory behind him, without a scar, or a blemish, to mar the beauty and loveliness of his character. They 282 were faithful, good, and true men. I deemed myself fortunate to be associated with such men in the important and responsible duties committed to us.

While I was Superintendent of Public Instruction I visited Hampton, and the following is a newspaper account of the addresses made there:

“Dr. H. L. Wayland, Editor of the *National Baptist*, Philadelphia, and Dr. Massey, Superintendent of Public Instruction of Virginia, were, with others, requested to make addresses at the dedication of ‘Science Hall’ at the Hampton Agricultural and Mechanical Institute for Negroes and Indians.

“This scribe does not propose to give a full report of their addresses, but only such extracts as show the trend of each. Both addresses were unique.

“Dr. Wayland spoke first. He is an able man and a fluent and forcible speaker. He was profuse in his compliments of the ‘Africo-Americans’ for the wonderful progress they had

## Library of Congress

made in civilization, education, arts, sciences, and religion since their emancipation; especially, as he said, after having been 'stultified and degraded by two hundred years of slavery.' He expressed delight that their yoke of bondage had been removed. 'But,' said he, 'I can never get rid of feelings of humiliation and degradation which I experience when I remember that I live in a country which ever tolerated slavery.'

"The white people of the South,' said he, 'have also made *some* progress, for which they are entitled to some compliment. They have learned to *spell* pretty well, but they have never learned to *pronounce*. They pronounce A-f-r-i-c-a-n, nigger!'

"The large assembly hall was filled to its utmost seating capacity with a small contingent of whites, and a large, audience of colored men and women, who applauded the speaker heartily during his address and at its conclusion.

"When Dr. Massey arose, he was also greeted with considerable applause. He said he had expected to address them upon educational lines, but the gentleman who preceded him had introduced a subject of such interest and importance that he had concluded to follow in the same line.

"I am prepared,' he said, 'to endorse all my predecessor has said of the improvement of—what shall I call them?—I will call them the *freed men and women of the South*. All the world beside cannot show an equal number of the African race who have made such progress in civilization, education, arts, and sciences as the Southern States can. The various Christian denominations have sent hundreds of missionaries to heathen lands, and have expended millions of dollars in trying to evangelize them. And yet it is doubtful if their combined labors have resulted in the conversion of as many heathens as there are *professed* Christians among the colored people of the South.

"How are we to account for this? Two hundred years have elapsed in *Africa*, since the introduction of African slavery into the American colonies, as well as they have elapsed in the *New World*. If slavery has stultified and degraded 284 the Africo-Americans, as my

## Library of Congress

predecessor claims it has, is it not fair to suppose that their ancestors in their native land, who have escaped the yoke of American bondage, have made greater progress in these 200 years than their descendants in the Southern States have?

“This is a fair deduction from the premises. The race in Africa to-day have had more than 200 years of freedom. Is the conclusion that they have made greater progress than the Africo-Americans sustained by facts?

“When Stanley was exploring Africa but a few years ago, he found her inhabitants not only savages, but cannibals. One of the darkest deeds reported by him was the purchase of a girl from one tribe, and the giving her to another tribe, to see their mode of killing and eating a human being. When facts prove legitimate conclusions to be false the premises are unsound.

“How, then, are we to account for the fact that the colored people of the South are far in advance of their race in their native land? I know of but one way of accounting for it. It is the *result*, the *fruit*, the *outcome*, of *slavery*. But for slavery the Africo-Americans would today be in similar conditions as their ancestors in their native land are. Can a system which has brought forth such fruits, and produced such results as I see before me, be altogether bad? If you, my colored friends, fully realized what you have *gained* by *slavery*, you would get upon your knees and thank God that he gave you masters. I thank God that slavery has been abolished. It has accomplished its mission. But, on your account, I thank God that slavery once 285 existed. Who is entitled to the honor or dishonor of having introduced it? Not *Southerners*! No vessel owned by Southerners ever engaged in the slave trade, or landed a cargo of Africans upon American soil. Citizens of Holland, of *Old England*, and of *New England*, led either by philanthropy, or *cupidity*, seeing the condition of the Africans in their native land, captured them and brought them to America. As the Northern soil and climate were not adapted to their development, or rather to render their labor remunerative, their captors sold them to Southerners who put them on farms, and

## Library of Congress

in work-shops, and taught them, by both precept and example, agriculture, handicrafts, morality, and religion: and here before me are some of the fruits of their labors.”

I expected to be married in September, 1890, to Miss Mattie E. McCreary of Alabama; and I went to Alabama a few days in advance of the time set for the marriage. Very soon after my arrival, I received a telegram urging me to go to Blacksburg College without delay. Typhoid fever was threatening to break up the session. A professor and a student had died, others were ill, and a general stampede was feared.

My marriage was postponed, and I hastened back to Blacksburg. I was a member of the Executive Committee, of the Committee of Curriculum, and of the Committee of Control, of the college.

Steps were taken to correct the unhealthy conditions of the grounds and buildings, and to establish proper sanitary regulations.

Former Boards of Visitors charged a *per 286 diem* for their attendance during their meetings, in addition to their traveling expenses going to and from them. The then existing Board gave their time, and charged only their expenses. For attending regular meetings the members were only entitled to charge the expenses which were necessarily incurred in going from and returning to their respective homes. If summoned to attend a called meeting, of which they had no notice before leaving home, it was legitimate and right that they should charge the expenses necessarily incurred in attending the meeting. In other words, the college should reimburse them for the expenses incurred in its behalf.

When I left home I had no expectation of this extra meeting of the executive committee; nor did I know of the circumstances which necessitated it. Responding to this urgent summons by telegram required me to make an extra trip, solely for the benefit of the college, at personal sacrifice. I charged the college *exactly* what this *extra* trip cost me.



## Library of Congress

During the legislative session of 1892–'93 a young Virginia Senator charged in the Senate that I had charged Blacksburg College the expenses of my “bridal trip.” He either knew this to be false when he made the charge; or he might have known it, if he had wished to act fairly and honorably. He also stated that I charged mileage on railroads upon which I had free or complimentary passes. *This and only this was true.* It was the uniform custom of railroad companies to give complimentary passes to all State officials. Every member of the legislature, every judge, the Governor, Lieutenant-Governor, the 287 Attorney-General, the Auditors and the Treasurer, all had them; and all received them and used them as *personal* compliments; and all drew the mileage fixed by law. No one supposed these complimentary passes sent to them were given to, or to be credited to, the State. I demanded an investigating committee. The young Virginia Senator admitted that he had complimentary passes, upon which he traveled, and that he drew his mileage as though he did not have them!

I published a card in reference to the charges made against me, and, in conclusion said:

“Having answered every allegation of my accusers, I will, even at the risk of being considered egotistical, say a few words of my past labors.

“From my earliest manhood I have been, in some sense, in public life. First as a member of the legal profession, then as a minister of the Gospel.

“For the last twenty years I have taken an active part in the political interests of Virginia. During that time I have had a prominent part in some of Virginia's fiercest and most bitter campaigns, having made three canvasses of the entire State.

“Besides representing my county and district several successive terms in both the House and the Senate of Virginia, I was Auditor of Public Accounts for two years and two months.

“In one of the darkest hours of Virginia's history, when she seemed doomed to ruin and dishonor, and the shackles were already forged which were to hold her in their merciless

## Library of Congress

grasp. 288 my position, associations, and relations enabled me to combine a force, which firmly and unfalteringly stood in the breach, and saved the honor and integrity of our dear old State.

“For four years I was Lieutenant-Governor. For the last two years I have been Superintendent of Public Instruction.

“I have also been an active and persistent advocate of temperance from my early youth.

“I have met many of Virginia's most worthy and honored sons in sharp political discussions.

“In my various positions I have doubtless made many mistakes; but I have striven to fill every office I have held, and to discharge every duty which has devolved upon me, faithfully and conscientiously.

“I should have had to be more than man if I had not made some enemies during these many years of trying events and contests, but I did not expect at this stage of life to have the floodgate of wrath and vituperation opened upon me.

“Although the committee's report was sufficient vindication, I have deemed it proper to give this simple statement, and leave all to determine how much importance is to be attached to the crowing of aspiring fledgelings.

“Very respectfully, “ John E. Massey. ”

The legislature of 1893–'94 re-elected me Superintendent of Public Instruction. Col. Charles T. O'Ferrall had been elected Governor to succeed Governor McKinney; and Mr. R. Taylor Scott had been re-elected Attorney-General. Hence the only change in the State Board of Education was that of the Governor. Governor 289 O'Ferrall displayed remarkable knowledge of the duties of the Board and faithfulness in their performance.

## Library of Congress

He assumed his full share of work and responsibility, and showed his deep interest in educational work.

The following letter to the *Religious Herald* needs no further explanation:

“Ever since the 23d of December, 1894, this community has been agitated as it never was before, by a multitude of charges made in the *Pilot* newspaper against the State Board of Education, and Rev. John E. Massey in particular. The last named gentleman was charged with every form of moral depravity in business transactions, both private and public; the sanctity of domestic matters was ruthlessly invaded, and the bold declaration made that these formidable charges could and would be proven. Impelled by his own sense of self-respect, and consciousness of innocence, and by the advice of the Governor of Virginia, Mr. Massey determined to test the validity of these charges and the rectitude of his own conduct before a jury of his countrymen. The suit which ended this evening has lasted five weeks. Witnesses from every part of the State were here. Mr. Massey himself, though seventy-six years of age, was subjected to the most searching and personal examination ever heard in this community, and the opposing counsel poured out upon him the most vituperative abuse ever heard. Witnesses from Mr. Massey's own county—the best men in the county—Governors and ex-Governors, Attorney-General, and others, came to Mr. Massey's rescue; and two of his lawyers, Messrs. Thorn and Neely, 290 made speeches of wonderful power and eloquence in his defence. The case was given to the jury, and ten were not only in favor of vindicating him from every charge, but of awarding him heavy damages. The opposition of two, especially of one, compelled the ten to compromise on a verdict of damages of \$1600. If it had been \$16,000,000, it would have been pecuniarily no better than \$1600.

“But the agony is over. Mr. Massey is triumphantly vindicated by a jury of his countrymen from every charge, and the accusation has been branded false. Mr. Massey goes back to his mountain home with the respect and congratulations of every good man in this community.

## Library of Congress

“ Norfolk.

“Norfolk, Va., July 27, 1895.”

In regard to the same suit, the *Dispatch* said:

“The battle of the book companies over the shoulders of Mr. Massey is ended. The jury find that Mr. Massey is not guilty of the charge made by the Norfolk *Pilot* of prostituting his office of Superintendent of Public Instruction to advance the interests of the American Book Company.

“This was the supreme issue of the contest. It was of vital concern to Mr. Massey, personally and officially, and was of great consequence, also, to this Commonwealth and to the American Book Company.

“Had the jury found for the defendants it would have been a death-blow to Mr. Massey. Had the verdict been otherwise than it is, the aspersion cast upon the fair name of a most important department of our State government would have been deepened into a hideous stain. So, for Mr. Massey's sake, and for the sake of the Commonwealth of Virginia, we rejoice in the verdict of the jury, declaring that the charge that Mr. Massey was a bribe-taker is a libel. And be it remembered that this conclusion was reached after all Mr. Massey's affairs for the past forty years had been exposed to the view of the jury and the world with a thoroughness and mercilessness never equaled in a civil case in Virginia. So the jury knew well what they were doing when they pronounced Mr. Massey not guilty of the *Pilot's* charge.

“While we say that it was a battle of the book companies to a large extent, we have Mr. Neely's word for it (excellent authority) that Mr. Massey's counsel fees have been borne, and will be borne, by Mr. Massey himself, and not by the American Book Company. The

## Library of Congress

damages and costs that he will recover will not, we guess, suffice by hundreds of dollars to pay his bill of expenses.

“We never doubted that the jury would find a verdict for the plaintiff, and we have always maintained that the contract in question was honestly awarded, and a good one for this State. But what does surprise us is that the jury did not make the punishment of the libellers more severe. We, however, doubt not that it was the wish of the majority of the jurors to assess heavier damages than \$1600. Their verdict, we suppose, was the result of a compromise, by which those who favored a larger sum than \$1600 yielded their opinions on that point rather than incur the risk of seeing a hung jury.”

292

Upon the conclusion of the case I received many letters of congratulation, and the newspapers very generally expressed pleasure at the result.

The following is one of the many letters I received:

“It affords me great pleasure to repeat in this form the impressions made upon me during the famous trial in Norfolk of your suit against the Pilot Publishing Company for libel. I was necessarily a close observer of all the proceedings preceding and during the trial. At its beginning, I must confess that I was somewhat vaguely, and without being able to state exactly why, affected with some prejudice against your case. As the trial progressed, and I saw your vigorous, dauntless bearing under surroundings which would have tested the strength of mind and emotion of most men much your junior in years, not only did this prejudice vanish, but I became convinced of your innocence of the charges brought against you by the *Pilot*, and was persuaded that you were the victim of as baseless an assault as ever emanated from a newspaper. Finally, as a result of the trial, I marvelled that a man who had for so many years been in the active political conflicts waged in this State, could emerge from such an ordeal as your trial with the record of a life so free from any just criticism.

## Library of Congress

"This statement would be incomplete without reference to the intelligence, self-control, and dignified assertion which marked you throughout the entire trial. With an avowed personal and political enemy conducting the case as counsel 293 for the *Pilot*, provoking you apparently beyond the limits of human endurance, the lofty dignity of your bearing, and your vigorous intellectual retorts will mark the trial as the most memorable I ever witnessed.

"Trusting that your health continues good, and that the days yet before you are many, I remain,

Yours very truly, " Wm. H. White. "

General and great surprise was expressed that I could bear as I did the heavy strain, both mental and physical, of five weeks of such outrage as I suffered. It is surprising to me. I gratefully record my belief that I was divinely sustained. I never retired at night without returning thanks for the grace of the day; nor did I ever return to the court-house without humbly beseeching its continuance. I committed my case and myself to the searcher of hearts, and He never failed me.

Nothing can be more repulsive to a man of ordinary sensibility than a suit for libel; and nothing but a conscientious sense of duty could have impelled me to institute one. I am now thankful that I did it. I had passed through many exciting political campaigns, and had had many earnest, and some bitter discussions, in which I had aroused hostile feelings and made political enemies, who impugned my motives and said many unkind and unjust things of me. The reiteration of these things created suspicion in the minds of many that there were some foundation for them. When the suit was brought it gave the opportunity to have my past life thoroughly ventilated and passed in review. I knew 294 this would be the aim of the counsel of the *Pilot*, and that he would thus, unwittingly, and with malice prepense ( *Malo animo* ), do me a service.

## Library of Congress

Hence I requested my counsel not to impose or raise any technical objections—to open the door and let it stay open. This may account for the irrelevant matter introduced; but not for the coarse, abusive, and atrocious language used, nor for the license allowed counsel for the defense by the court. I can thus account for the toleration of my counsel, but it is not my province to account for that of the court.

The verdict gave me all that the jury could give—complete vindication. Had they awarded me \$50,000, it would have been a greater warning to libellers, but it would not have benefited me. I never have received a dollar from any of my libellers and I have no expectation of ever receiving one. They have not paid any part of the expenses awarded against them. I paid these during the progress of the suit, and have never recovered one cent of them.

My counsel agreed among themselves that Mr. Richard Walke should make the closing argument. That gentleman had thoroughly investigated the case, and had made himself familiar with every feature of it. His heart was in it, and all his faculties were fully exercised. The zeal he displayed impressed his friends with the conviction that he would make the 'effort of his life.' But before the time for his doing so arrived his physical strength failed—he was completely prostrated, and was unable to leave his house. He had overtaxed his strength in his unremitting attention and labor of five weeks.

When it was known that Mr. Walke could not be present, Messrs. Neely and Thom proposed, as each of them had made exhaustive arguments in the case, that I should make the closing argument. I considered this proposition very complimentary; and, even at the risk of seeming egotistical, I will say that I felt fully adequate to the task. Although I had been both mentally and physically taxed beyond the power of endurance of men younger than myself, I felt that I could speak all day if necessary; that my mind was clear and active; that I had the facts and evidence at my fingers' ends; and that it was the

## Library of Congress

*opportunity of my life.* Those who know me can imagine how strongly I was tempted, and how hard it was to resist.

Each one of my counsel had shown such zeal, such ability, and jointly they had managed the case so ably and so entirely to my satisfaction, that I was unwilling to give the slightest grounds for any one to say, or think, that I was unwilling to leave the case wholly in their hands. I shall ever hold them in grateful memory. For this reason alone I declined the honor.

Mr. A. P. Thom made the closing argument. If he had not stood at the fore-front of the bar before, that speech would have placed him there, in the estimation of every intelligent man who heard it. I have often heard forensic eloquence, but never heard any that surpassed this.

Under different legislative acts educational institutions were paid six per cent. upon State bonds which they held as endowments.

Thirty-six thousand dollars in State bonds had been donated to establish a Woman's College in Lynchburg. At the solicitation of W. W. Smith, 296 LL. D., President of Randolph Macon College, I prepared a bill fixing the amount of interest to be paid to all colleges and schools holding State bonds, and included the "Woman's College" in it—placing it upon the same footing as colleges theretofore established; and I engineered it through the legislature in 1892.

Virginia was annually expending \$125,000 on educational institutions for boys, and but \$15,000 for the higher education of women.

This disparity was unjust to our daughters, and damaging to the State. More than three-fourths of the teachers in the public schools of Virginia are women. Many of them are poorly qualified for their work. Yet they must remain so, or go out of Virginia to obtain better qualification.



## Library of Congress

I heard that six Virginia ladies were teaching in the Agnes Scott College in Decatur, Georgia, and that they all had to go to other States to prepare themselves for the positions they were filling. I went to Decatur and to the college to ascertain what preparation they needed that they could not get in Virginia. I was more than ever convinced that the schools that were accessible to girls in Virginia did not afford the necessary facilities.

I had a bill submitted in the House of Delegates to authorize the admission of ladies to the academic department of the University of Virginia. It was referred to the Committee of Schools and Colleges, which held its meeting in my office.

Two professors of the University of Virginia went to Richmond to oppose the bill, and they succeeded in having it reported adversely.

297

Neither the State nor religious denominations were pecuniarily able to erect new and independent institutions of learning for women of equal grade to those they had for men; but, by admitting women to those then existing, new ones would not be necessary.

The old contention that women are not susceptible of equal education with men seems to have been given up, and the dangers of co-education of the sexes has taken its place as the ground of opposition.

I have now before me letters covering both of these points from some of the ripest scholars and ablest teachers in America. Dr. J. L. M. Curry, who is doing more for general education in the South than any other man, advocates higher education for women, and co-education of the sexes. Richmond College has recently opened its doors to women.

298

## CHAPTER XXVIII RETIREMENT TO PRIVATE LIFE

## Library of Congress

Resolutions adopted by the Conference of County and City Superintendents of Schools, at the meeting held in Richmond, May, 1897, were as follows:

"Whereas, General education is becoming more and more regarded as the bulwark of national liberty and independence; and, whereas, the State of Virginia looks upon her great system of public free schools with pride and affection, as a necessary factor in the maintenance of her good name, and in the promotion of the intelligence and general welfare of her people; and, whereas, the Hon. John E. Massey, the present Superintendent of Public Instruction of our State, has performed the difficult, arduous, and almost sacred duties of that high office with such zeal, ability, promptness, and indefatigable industry, and with such satisfaction to his people; therefore, be it

*" Resolved,* That we, the County and City Superintendents of this State, in conference assembled, do here publicly thank him, on behalf of all the citizens of the several counties and cities of this Commonwealth, for his great services; and, without disparagement to the qualifications of the many distinguished educators of this State, we, as a body, desire, and deem it to be a duty, to put upon record our sincere commendation 299 of his past work in the cause of public education, and our wish that he be retained in the office he so ably fills."

Resolutions adopted at the meeting of the Virginia Booksellers' Association were as follows:

"Resolved, By the Virginia Booksellers' Association, in convention assembled, That the Superintendent of Public Instruction of the State of Virginia, the Hon. John E. Massey, is fully entitled to the thanks of the people of Virginia for his efficient management of the public schools; and their present high standing is due mainly to his work, and we earnestly endorse his intelligent and judicious administration."

These resolutions and many solicitations constrained me, against my better judgment, to be a candidate for re-election to the office of Superintendent of Public Instruction.

The same parties that had antagonized me so bitterly and unscrupulously on former occasions united their forces to defeat me. They nominated *seven* men against me. These were taken from different sections of the State to secure the support of members of the legislature from their respective localities, and so to divide the vote as to prevent my being nominated upon the first ballot. These seven men and their backers agreed that the lowest candidate should be dropped after each ballot, and that his supporters should support those who remained of the seven until six should be dropped. Then all of the supporters of the six who had been dropped were to vote for the seventh man. The patronage 300 of the office was promised to those who should be dropped, and to their friends.

I led in every ballot until the last. When the votes of all seven were cast for the seventh man, he was elected by a small majority.

The result was disappointing to my friends. I, of course, shared their feeling to some extent, but no prisoner who had served out his term of imprisonment could have enjoyed his release more than I did mine. I had been in public office for twenty-five years, after having spent thirty years in the practice of law and the active Christian ministry, and I needed quiet and rest. I believe I have served my fellow-citizens and my State in more ways, vocations, and offices than any other man of this generation within her borders.

In my retirement from official life I enjoy the satisfaction of having performed my duties conscientiously, faithfully, and fearlessly, to the best of my ability, in every position I have filled; and that I have the respect, confidence, and good wishes of the great mass of those with whom, and for whom, I have labored.

## Library of Congress

The first temperance organizations formed in Virginia were formed in Fredericksburg, in Spottsylvania, my native county. There were two organizations: one for adults, and one for minors. No one could join the latter until he was ten years old. When I was under that age I wished to become a member, but I was not allowed to do so. But I then resolved to be a temperance boy and man, and I have adhered to that purpose. From my boyhood I have been actively engaged in temperance work.

I took a prominent part in the passage of the "Local Option Bill"; the "Sunday Liquor Law," which requires all bar-rooms to be closed from Saturday night until Monday morning; and the "Minor Liquor Law," which forbids the selling or giving intoxicants to minors without the written permission of their parents or guardians.

On January. 22, 1894, I wrote the following letter to the Editor of the *Dispatch*:

"In the last political campaign a party, composed of Republicans, Populists, Third partyites, a few true and honest Democrats, and disappointed aspirants, with no defined political principles or affiliations, sought political office under the name of 'Prohibitionists.'

"They dragged the cause of temperance into 302 the arena of politics and made their fight over that single issue.

"They charged that the Democratic party was run and controlled by the liquor interest. Some of these speakers asserted that 'the whole Democratic party was in league with beer-wagons, red-nosed whiskey bummers, and hell.'

"These, I am glad to say, were not Virginians, but hirelings from another State.

"These charges, and the appeals based upon them, would have drawn many temperance men, who were good Democrats, from the Democratic party, if the Democratic party had not so placed itself on record as to enable its advocates to show their falsity and absurdity.

“How had the Democratic party done this? By passing the ‘Local Option Law.’

“The temperance people said, practically: ‘We do not ask the legislature, which is overwhelmingly Democratic, to violate or sacrifice the time-honored devotion of Democracy to the right of self-government or home rule. We simply ask you to give the people of any and every community the right to decide for themselves whether or no intoxicating liquors should be sold in their midst.’

“The Democratic party (true to its principles) enacted the law asked for. The best temperance men rejoiced that this moral question had been taken out of politics and relegated to the people.

“Democrats could point with pride to the fact that they had proved in a most practical way that they believed in the right of self-government, and that they were friends of temperance and good morals.

303

“If local option had not stood as a living witness of the falsity of the foul charges made against the Democratic party, scores and hundreds of good men would have left it, and would have joined the ranks of the Prohibitionists. But this law satisfied them that the cause of temperance and all other interests were safe in the hands of Democrats.

“Suppose this legislature—almost solidly Democratic—should repeal, or in any way weaken the force of, the local option law, would not the Democratic party thereby destroy the noble record it made by its passage? Would it not surrender the vantage ground it now occupies? Would it not weaken the hands of its defenders, and strengthen the hands of its assailants?

## Library of Congress

"You could scarcely do anything that would better please those who wish to make temperance a political issue than to repeal the local option law. It is just what they want you to do.

"My connection with the campaign of 1892, and that of 1893, impelled me to consider every phase of this subject, and as both a temperance man and a Democrat I implore you to let local option stand just as it is.

"Respectfully, " John E. Massey. "

The following needs no explanation:

"The immense tabernacle of the Drys on North Augusta Street was lighted Tuesday night with two are lights. The speaker of the evening was Hon. John E. Massey, State Superintendent of Public Instruction. He was introduced by Rev. Dr. James Nelson, who, in his remarks, gave 304 strong reasons why all Christian men should support the present movement in Staunton against granting liquor licenses.

"Mr. Massey looked as vigorous and chippery as usual; and, as is his wont, plunged with little preface into the heart of his subject. After saying that he was not here to abuse saloon keepers or anybody else, but to give some arguments against license, he went on to say, in part as follows:

"When I was a boy and heard the great evil of intemperance talked of I thought it could easily be stopped. I thought it was such a horrible vice, that, after being told of it, nobody would follow it; and that, after that crop of drunkards passed away, no more would follow. But it has proved that I was as simple as the man who sat by the river, waiting for it to run dry. I find the crop of drunkards is not diminished, but continues. The river does not run dry; the large army is still marching the same road to destruction. But that does not prove that it is useless to try and stop it. You had as well say that schools are useless because you have to educate generation after generation that follow each other. You had

## Library of Congress

as well say it is useless to preach the Gospel, because it has to be preached to each rising generation.

“I am here to reason with you to-night. If I give no good reason for your voting against license, then I can't ask for your vote. What are the objections that are urged against your voting against license?

“One is that it deprives a man of his liberty, his rights. No man has a right to do anything 305 that will injure his fellow-man. There is no *right* to sell liquor; it is a privilege given by the law, and that which the law provides may be revoked and you have the power to end.

“Another is that it will not stop the sale; that Prohibition does not prohibit. There is no doubt that some men will have liquor, but all experience has shown that at the worst the difference between open saloons and Prohibition is just the difference between barrels of whiskey and jugs of it. A good difference, isn't it?

“Another is the revenue! I have been the Auditor of this State, and my experience in that office convinces me that for every dollar the State receives from liquor license she pays out *four dollars* for criminal prosecution and other costs.

“Again, they say, if you don't license respectable men to sell it, that disreputable men will carry on the trade in out-of-the-way cellars. Well, even that is a great gain! When we have driven whiskey into a coal-hole we have got it on the run.

“It is a great pity we can't have men to discuss this question, but you can't get them. You will find plenty of men to talk for whiskey on the street corners and with their acquaintances, but you never find a man who wants to come before a great and respectable audience like this one and advocate the sale of whiskey. The evils flowing from the use of liquor are so great that no one likes to uphold it. It is a great mistake to say that liquor hurts nobody but the man who drinks it. Look at your jails, your asylums, your

prisons, and you'll find the answer to that. It hurts wives, brothers, mothers, daughters, sisters, who never touched it in their lives.

306

“It has been said by some good men that it can't be helped; that the law licenses it, and that the responsibility is not on them. That reason won't do in this day. The legislature has passed this very law under which you are to vote on August 22d, to remove that excuse. It puts the responsibility right on the shoulder of each individual voter. The Christian who walks up to the polls in Staunton and votes to license liquor selling, takes the responsibility before God and the world on himself. If he votes: *Yes, it shall be sold*, instead of: *No, it shall not be sold*, he agrees to stand together with the saloon keeper in his trade. There is no evading it, that is just where you stand. The legislature says you may stop it if you choose, and you say you don't choose. That is the hole you place yourself in.

“It is all affected ignorance to try and argue that the saloon business is like other business. The saloon man knows it isn't; and you know it isn't. The saloon man has to get a certificate of *good character*. Does any dry goods merchant, any grocery merchant, or any other merchant of any kind, have to have a certificate of good character? To sell liquor is so sanctifying; there is something so sanctifying in the jug and its contents, that to sell it a certificate of good character is required. We can't then say a word about the man that gets the license, because it would reflect on the court, if we did. [A Voice: Good, hit him again.]

“The dry goods man has his store wide open, big windows, everything to make people see what is inside and come in and buy. The man of *good character* has glazed windows, and when you get in you have to go behind a screen to see 307 what he is selling. That is the sort of business place required for the man who has the certificate of good character. [Applause and cries of: Good!] You say a saloon man is wrong to persuade men to buy his goods. You don't say that of the dry goods man who has no certificate of good character. To mention liquor selling as a business on a footing with other business is a subterfuge, and those who do it know it is. If you vote *For License*, you say to the liquor men: If you



## Library of Congress

give me so much money I'll give you a license to sell liquor, make drunkards, and ruin families. That's it, and that's all there is in it. *You* do it. The legislature by this local option law has given *you*, as an individual voter, the privilege of saying whether this man shall sell or not, and by your vote for it you become a party to the traffic. [Applause.]

“You say they help business, saloons do. They help the trade of these business places and no other:

“Liquor Saloons,

“Police Stations,

“Jails,

“Penitentiaries,

“Poor Houses.

“That is the list of businesses that selling liquor helps.

“Mathews County, in this State, has local option, and hasn't had a criminal in it for three years. [Applause.] And the judge of that county sees that the law is enforced. No man becomes either a drunkard or a criminal all at once. He gets to be such by degrees. Save your boys and you'll have no drunken men.

308

“You talk about business. Do you suppose a man is going to buy less dry goods because he doesn't spend his money in saloons? Do you suppose a man is going to buy less groceries, shoes, hats, because he spends less money for liquor? Why, you know that is absurd. The real estate men are the sharpest and shrewdest men in this State. When they have property to sell they give it every recommendation they can think of. They advertise that it is near churches, schools, stores—did you ever know one to advertise that it was

## Library of Congress

near a grog shop? [Applause.] If it were of benefit to the business of a community to have dram shops, don't you suppose the real estate agents would advertise it? You know they would. Is there a gentleman or a lady here to-night who would not feel the value of their home marred, if there were a dram shop near it? If it were there, it would be the last thing they would talk about as something that enhanced its value.

“Staunton is growing into a fine reputation over the land. We from elsewhere speak of it, not as a *boom* town, but as a solid city, where investments can be made safely. I have interests in valuable property here, although I don't live here; and I feel that, if Staunton goes dry, the value of my property will be increased. And that is the way that everybody with interests here looks at it.

“To Christians I wish to say a few closing words. Can you vote for license? Remember it is your act, this matter of license now! It is not the act of your judge, nor of your legislature; it is *yours*. You can't transfer the responsibility to some one else; you must bear it. You can't  
309 give yourselves any excuse about wanting to *regulate* the sale of liquor. What would you think of a physician who, instead of wanting to cure a disease, should only want to regulate it?’

“Mr. Massey closed by an appeal to the ladies to work and to give their countenance to the effort now being made to save the young men of Staunton from its liquor saloons.”

310

## CHAPTER XXX CONSTITUTIONAL CONVENTION

“To nearly 1500 Democratic voters of Albemarle County:

“Gentlemen: In compliance with your request I hereby announce myself a ‘candidate to represent, in part, the county of Albemarle and the city of Charlottesville in the Constitutional Convention to assemble, subject to the approval of the Democratic party expressed in convention, or primaries, as may hereafter be determined.

## Library of Congress

“Permit me to say that I am not prompted to do this by private or personal motives, but by the following considerations:

“The Underwood Constitution was never satisfactory to me.

“For many years I have advocated calling a convention to frame a new Constitution for Virginia.

“It is self-evident that only those who sincerely favor the formation of a new Constitution, and will conscientiously labor to give the people of Virginia the best one the combined wisdom of the convention can frame, strictly regarding the principles of right, justice, equity, economy, and the wish and will of the people they represent, ought to be members of the convention.

“That ‘nearly 1500 Democratic voters of the county of Albemarle and city of Charlottesville’ have petitioned me to become a candidate, and 311 the assurances I receive that nearly *all* who desire a new Constitution concur with the expressed wish of the ‘nearly 1500,’ have determined me to forego personal comfort and convenience, place myself in the hands of my friends, and pledge them the best services I can render.

“Very respectfully, “ John E. Massey. ”

Roanoke *Times*: “If the other counties in Virginia are fortunate enough to secure men to represent them in the Constitutional Convention, who will come out as boldly as Mr. John E. Massey, and declare as unequivocally as he does, that they will have nothing to do with evasions, interlinings, and compromises, the Democrats of the State will need to feel no fear. We say counties advisedly; for it must be remembered by all Democrats that, when the vote was taken in May upon the question of holding the Constitutional Convention, it was found that the counties, as a whole, gave a majority against the convention, and had it not been for this majority, the minority vote in the counties would have defeated the movement. It is not known when this convention will be held; but, when it does convene,

## Library of Congress

we want to find it made up of fearless men like Mr. Massey, with fearless and determined people behind them, who will put up with no juggling, and who will turn down their work when it is submitted to them, if it does not meet with their approval. Mr. Massey and the Hon. Mr. Boaz, of Albemarle, were presented with a list, containing the names of hundreds of Democrats, who prayed that they would look after their interest in the convention.”

312

On the 24th of April, 1901, this special was sent from Charlottesville:

“Hon. John E. Massey died at 6.15 this afternoon.

“About a week ago he spoke in the rain at Bruner's Store, five miles south of Charlottesville; and a deep cold resulted. This, in turn, developed into grip, which in a younger man would have amounted to very little.

“On Monday, Mr. Massey's physician refused to allow him to attend the convention, which nominated him and Mr. Boaz as Democratic candidates for the Constitutional Convention, as his malady refused to yield to treatment.

“Nothing but his age gave cause for uneasiness. His family did not regard him as in any danger until about midnight last night, when a change for the worse took place.

“By six o'clock this morning his condition seemed hopeless, but throughout the day he rallied at times. After each rally, however, the reaction was more alarming.

“So indomitable was his will that many expressed the belief that the venerable man would escape death, and an hour before his end he himself said he believed he would get well.

“The funeral will take place at noon, Friday, from the Baptist Church, and the burial will follow in Oak Hill Cemetery, this city.” [The Editor.]